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# Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

## Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly the attached periodic report covering the period from 30 August to 31 December 1997, which was submitted to him, in accordance with paragraphs 5, 6 and 7 of Assembly resolution 52/64 of 10 December 1997, by the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories.

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## Letter of transmittal

4 March 1998

Sir,

The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories has the honour to transmit to you herewith, in accordance with paragraphs 5, 6 and 7 of General Assembly resolution 52/64 of 10 December 1997 a periodic report updating information contained in the twenty-ninth report, which it adopted and presented to you on 29 August 1997 (A/52/131/Add.2). The present periodic report has been prepared in order to bring to your attention, and to the attention of the General Assembly, updated information on the human rights situation in the occupied territories.

The present periodic report covers the period from 30 August to 31 December 1997. It is based on written information gathered from various sources among which the Special Committee has selected relevant excerpts and summaries, which are reflected in the report.

Accept, Sir, the assurances of my highest consideration.

(*Signed*) Janaka **Nakkawita**
Chairman of the Special Committee to
Investigate Israeli Practices Affecting the
Human Rights of the Palestinian People and
Other Arabs of the Occupied Territories

His Excellency Mr. Kofi **Annan**
Secretary-General of the United Nations
New York

# I. Introduction

1. In its resolution 52/64 of 10 December 1997, the General Assembly:

> "5. *Requests* the Special Committee, pending complete termination of the Israeli occupation, to continue to investigate Israeli policies and practices in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, especially Israeli lack of compliance with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and to consult, as appropriate, with the International Committee of the Red Cross according to its regulations in order to ensure that the welfare and human rights of the peoples of the occupied territories are safeguarded and to report to the Secretary-General as soon as possible and whenever the need arises thereafter;
>
> "6. *Also requests* the Special Committee to submit regularly to the Secretary-General periodic reports on the current situation in the occupied Palestinian territory, including Jerusalem;
>
> "7. *Further requests* the Special Committee to continue to investigate the treatment of prisoners in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967".

2. The Special Committee continued its work under the rules of procedure contained in its first report to the Secretary-General and held the first of its series of meetings from 2 to 4 March 1998 at Geneva. On 2 February 1998, the Permanent Mission of Sri Lanka to the United Nations informed the Secretariat of the United Nations (Office of the United Nations High Commissioner for Human Rights) that the Government of Sri Lanka had appointed Mr. Janaka Nakkawita, Acting Permanent Representative of Sri Lanka to the United Nations, as its representative to serve on the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, with immediate effect, in place of Mr. Herman Leonard de Silva. The first series of meetings was, therefore, attended by Mr. Nakkawita (Sri Lanka), who acted as Chairman, Ms. Absa Claude Diallo (Senegal) and Dato' Abdul Majid Mohamed (Malaysia).

3. The Special Committee decided to continue its system of monitoring information on the occupied territories and, in accordance with paragraph 7 of resolution 52/64, to pay special attention to information on the treatment of prisoners. The Special Committee examined information appearing in the Israeli press and in the Arab-language newspapers published in the occupied territories on developments that had occurred in the occupied territories between 30 August and 31 December 1997. Other materials related to its mandate were also made available.

4. The Special Committee also decided upon the organization of its work for the year. It agreed to address the Governments of Egypt, Jordan and the Syrian Arab Republic with a view to seeking their cooperation in the implementation of its mandate. The Special Committee also agreed to address the Permanent Observer of Palestine to the United Nations Office at Geneva and the International Committee of the Red Cross (ICRC). Finally, the Special Committee decided that at its next series of meetings it would undertake hearings in the area for the purpose of recording relevant information or evidence.

5. On 4 March 1998, the Special Committee addressed a letter to the Secretary-General seeking his intervention in an effort to secure the cooperation of the Government of Israel. The Special Committee also addressed the Government of Israel directly.

6. The Special Committee also examined the present report, which was adopted on 4 March 1998.

7. The geographical names and the terminology employed in the present report reflect the usage in the original sources and do not imply the expression of any opinion whatsoever on the part of the Special Committee or the Secretariat of the United Nations.

# II. Information received by the Special Committee

## A. General situation

### 1. General developments and policy statements

8. On 1 September 1997, the Director-General of the Prime Minister's Office, Avigdor Lieberman, accused Arabs of "robbing" 2.8 million dunums of "state-owned land" in the Negev, the Galilee, along the Green Line and in area C. According to a government plan designed "to put an end to the robbery of state-owned land", legal steps would immediately be taken against individuals charged with "illegal" construction. The possibility of declaring some land "fire practice areas" in order to bar access to them would also be examined. The Ministerial Committee on Settlements

Affairs, which had not met since Yitzhak Shamir's term as Prime Minister, would be reinstated and the ministers would be presented with a plan to encourage homogenous settlements in flashpoints in order to "protect the land". Settlement agencies would help Jews, selected through tenders by the Israel Lands Administration, to set up large agricultural farms on "state-owned land" with a view to preventing Arabs from taking it over. (*Ha'aretz*, 2 September)

9. On 1 September, the Palestinian Authority (PA) Minister for Agriculture, Saleh Abdel Jawad, was arrested by the Israeli army following clashes between Palestinian farmers and soldiers at the Jiftlik agricultural station near Jericho. The Minister was released an hour later after having been searched. The clashes occurred when scores of Palestinian farmers and employees of the PA Ministry of Agriculture gathered at the Jiftlik agricultural station in order to prevent a group of settlers, backed by the Israeli army, from taking over the experimental station. Abdel Jawad stated that, according to the Oslo Accords, the station was to have been returned to the Palestinians in August 1995. (*The Jerusalem Times*, 5 September)

10. On 2 September, the Ministerial Committee for Economic Affairs approved a new map of national priority areas, which classified almost all settlements, including those in the Golan Heights, areas of top national priority. As such, they enjoyed numerous benefits in the terms of housing, taxes and education, sometimes at the expense of communities within Israel. (*Ha'aretz*, 3 September)

11. On 5 September, the Security Cabinet, which met after the Ben-Yehuda suicide bombing attack, announced that no more territory would be handed over to the PA unless it eradicated the "terror" infrastructure in the areas under its control. Speaking to reporters shortly after the Cabinet meeting, Prime Minister Benjamin Netanyahu stated that during the four years that had elapsed since the signing of the Oslo Accords, the PA had done nothing to live up to its principal undertaking – to act against the "terror" infrastructure in the territories under its control. Instead, he claimed, "terror" chiefs were hugged and kissed in public demonstrations of solidarity. Mr. Netanyahu indicated that more decisions of a military nature were to be taken by the Cabinet, but would not be made public. He did disclose, however, that the Israel Defence Forces (IDF) and the security forces had been given instructions to minimize their dependence on cooperation with the PA. (*Jerusalem Post*, 7 September)

12. On 6 and 7 September, 35 members of the Islamic Resistance Movement were arrested by the PA in the cities of Nablus, Ramallah, Bethlehem, Tulkarm and Kalkiliya. According to a source from the Palestinian security services, the arrested men were all members of Izz Al-din al-Qassam, the military wing of Hamas, which claimed responsibility for anti-Israeli operations. (*The Jerusalem Times*, 12 September)

13. On 7 September, referring to the 5 September Cabinet decision to postpone further redeployment in the West Bank until the Palestinians cracked down on "terrorism", PA Communications Minister, Yasser Abed Rabbo, accused Prime Minister Netanyahu of making excuses in order to avoid further pullbacks. Mr. Rabbo accused Mr. Netanyahu of wanting to kill the peace process, undertaking Israel's recent demolitions of Palestinian houses and continued land confiscation. Another Palestinian reaction, that of PA Minister for Jerusalem Affairs, Faisal Husseini, accused Mr. Netanyahu of destroying the basis for the 1993 Oslo Accords, adding that Israel should not expect the PA to conduct any mass arrests of Hamas activists. (*Jerusalem Post*, 8 September)

14. On 7 September, it was reported that the Hamas movement had threatened to carry out another attack on 14 September unless all Palestinian detainees in Israel were released. Some 2,800 Palestinians were said to be incarcerated in Israeli prisons, of whom 400 were under administrative detention. Among those detained, approximately 1,000 belonged to Hamas and a similar number to Fatah; 300 belonged to the Popular Front for the Liberation of Palestine (PFLP); some 70 belonged to the Democratic Front for the Liberation of Palestine (DFLP); and 45 were Israeli citizens. The vast majority of the 2,400 sentenced detainees had gone on trial prior to the signing of the Oslo Accords. According to Hisham Abed A-Razek, a senior Fatah official, a member of the Palestinian Legislative Council (PLC) and Chairman of the Palestinian Committee for Prisoners' Affairs, at least 1,700 detainees would already have been released had Israel honoured the article in the Taba Agreement relative to the release of prisoners. Under the Agreement, apart from women, who were to be released upon the signing of the accord, prisoners who had served more than two thirds of their term and those convicted of offences that did not involve killings or serious injuries were also to be released. Furthermore, even prior to the signing of the accord in Washington in September 1995, Israel was supposed to consider seriously the release of prisoners who, while not meeting the aforementioned criteria, were aged above 50 or under 18, had been imprisoned for at least 10 years or were ill. The releases were to be carried out within the framework of a joint Israeli-Palestinian committee.

According to Abed A-Razek, no talks on the issue had been held since January 1996. (*Ha'aretz*, 7 September)

15. On 7 September, the Israeli Justice Minister signed a warrant for the arrest and extradition of Police Superintendent Ghazi Jabali. Commenting on the news, the Attorney-General stated that the PA had not received any official request concerning General Jabali and emphasized that if it were to be made, the request would be dismissed. (*The Jerusalem Times*, 12 September)

16. On 7 and 8 September, Israel arrested an estimated 400 Palestinians in zones B and C in connection with the triple suicide bombing in west Jerusalem. (*The Jerusalem Times*, 12 September)

17. On 8 September, it was reported that since the triple suicide bombing in Jerusalem's Ben-Yehuda Street on 4 September, the IDF and the security forces had arrested 169 Palestinians in the West Bank on suspicion of belonging to Hamas. Those arrested were reportedly being interrogated by the General Security Service (GSS). (*Jerusalem Post*, 8 September)

18. On 9 September, the Government Press Office published a list of Palestinian security commitments that were to be given to the United States Secretary of State, Madeleine Albright, during her visit to Israel the following day. The list included the following points:

(a) The Palestinians have agreed to full and unconditional security cooperation: detention, arrest and imprisonment of all "terrorists" previously released by the PA, according to lists submitted by Israel; dismissal of PA personnel involved in terror or violent acts against Israel;

(b) The PA must implement the security commitments specified in the Hebron Agreement such as preventing Palestinian rioters from entering areas under Israeli control or attacking IDF forces stationed in the buffer zone that divides the H1 and H2 areas;

(c) Illegal arms must be collected and confiscated. All forms of incitement against Israel by PA officials must be stopped and those who deliver inciting sermons in mosques must be dismissed and prosecuted;

(d) The PA must comply with the 33 extradition requests submitted to it;

(e) The Palestinian Police Force, which is currently 35,500 men strong, must be reduced to 24,000, the agreed number;

(f) The PA must submit a complete list of all recruits for review and approval. (*Jerusalem Post*, 10 September)

19. On 10 September, in response to the list of security-related demands submitted by Israel, the Palestinians presented their own demands, as listed below:

(a) Israel should immediately transfer to the PA $100 million in Palestinian tax payments it has withheld;

(b) The internal closure of the West Bank must be lifted;

(c) The import of raw materials into the Gaza Strip and the West Bank and the export abroad of mainly perishable seasonal agricultural products must be allowed;

(d) A fixed number of labourers with permits to work in Israel must be allowed to leave the territories, even during periods of hermetic closures;

(e) The work of the eight committees aimed at implementing important articles of the Interim Agreement, including the release of Palestinian prisoners, the opening of an airport, the construction of a sea port and the opening of a safe passage between the Gaza Strip and the West Bank, must be resumed;

(f) Construction in settlements must be halted and plans for their expansion on adjacent land must be frozen;

(g) The invalidation of identity cards belonging to Palestinian residents of Jerusalem who, according to the Interior Ministry, had "displaced the centre of their lives away from the City" must be stopped;

(h) The demolition of houses built without permits in the West Bank must be halted;

(i) The evacuation of bedouins throughout the West Bank and their transfer to areas B and A must be stopped. (*Ha'aretz*, 11 September)

20. On 12 September, it was reported that Israel had confiscated over 670,000 dunums of land since the Oslo Accords were signed on 13 September 1993, according to a study published by the civil and legal rights institution Muassasat Al-Mujtama. The study added that 210,000 trees had been uprooted and 1,599 houses demolished. The report stressed that Israel still controlled 97 per cent of the West Bank and 40 per cent of the Gaza Strip. (*The Jerusalem Times*, 12 September)

21. On 14 September, senior American officials revealed that Secretary of State Madeleine Albright had been disappointed by Prime Minister Benjamin Netanyahu's refusal to commit himself to limiting construction in settlements, even if the PA were to win the battle against "terrorism". In an interview with CNN that was broadcast on 12 September, the Secretary of State also announced that

she would return to the region only when both Israelis and Palestinians were ready to take difficult decisions, since she did not see any point in returning "just to grind water". Senior American officials disclosed that the Secretary of State's harsh pronouncements were due in large part to Prime Minister Netanyahu's lack of commitment to imposing restrictions on settlement construction. (*Ha'aretz*, 14 September)

22. On 15 September, military sources revealed that the IDF was preparing for possible skirmishes with PA fighters in case of a further deterioration in the political situation. The sources warned of an outbreak of guerrilla warfare and an escalation in the use of weapons in the territories should the current stalemate in the peace process continue and mistrust between Israelis and Palestinians increase. The sources stated that the present situation had led the PA to legitimize "terrorist" activities, which could result in violent confrontations between the two sides. The sources claimed that the Palestinians had strengthened their security forces, which were maintaining a state of alert, fearing that Israeli security forces might enter areas under Palestinian control. One source stated that the Palestinians believed that the Israeli Government was not interested in resuming the peace process and was doing everything possible to prevent the creation of a Palestinian State. That kind of thinking, the source noted, could only lead to a renewal of low-key violence and rioting, which might prevail for a long period of time. (*Jerusalem Post*, 16 September)

23. On 16 September, it was reported that since the suicide bombing in Jerusalem on 4 September the security forces had arrested 250 Palestinians on charges of belonging to "terrorist" organizations. (*Jerusalem Post*, 16 September)

24. On 16 September, PLC member Salah Taamari warned that Israelis and Palestinians were moving towards violent confrontation because of Israeli settlement activities and the continued closure of the territories. (*Jerusalem Post*, 17 September)

25. On 19 September, it was reported that the Israeli Minister for National Infrastructure, Ariel Sharon, commenting on the takeover by settlers of two houses in the Ras al-Amud quarter in Jerusalem, stated that the move was of the utmost importance as it would block Palestinian plans to create a continuous area populated by Palestinians from Abu Dis to the Old City of Jerusalem. (*The Jerusalem Times*, 19 September)

26. On 23 September, Israel revealed the identities of four out of the five suicide bombers who had blown themselves up in West Jerusalem over the last two months. The four, all residents of the village of Azira Shamalya in the northern part of the West Bank, were Mou'awiya Mahmoud Ahmad Jara'a (1974), Bashar Mahmoud Assad Sawalha (1973), Tewfiq Ali Mahmoud Yassin (1972) and Youssef Ahmad Shouli (1974). All four were wanted by the Shin Bet for questioning regarding alleged involvement in the firing at an Israeli military vehicle in the Wadi Al-Bidan near Nablus in December 1996. All four had also been arrested by the PA during arrests that followed the series of suicide attacks in February and March 1996. They had managed to escape from the Palestinian prison in Nablus in September 1996. (*The Jerusalem Times*, 26 September)

27. On 23 September, according to Hamas sources, 20 members of the Islamic resistance movement Hamas were arrested in Nablus. The arrests were believed to have been connected with the suicide bomb attacks perpetrated in Jerusalem. (*The Jerusalem Times*, 26 September)

28. On 24 September, in his final address before leaving office, United States Ambassador to Israel Martin Indyk stated that the Oslo peace process, which had begun in 1992, seemed to be turning into a nightmare on some days. Mr. Indyk stated that the peace process had deeply disappointed both Palestinians and Israelis and he pointed to "terrorist" attacks by Islamic militants and unilateral actions by the Israeli Government as the reasons for the crisis. He called on both Israelis and Palestinians to abandon the zero-sum game mentality in which one side's loss was the other side's gain, urging them to end the war of words and point-scoring they had been engaged in. (*Jerusalem Post*, 25 September)

29. On 26 September, Prime Minister Benjamin Netanyahu rejected a renewed United States call for the imposition of a freeze on Jewish settlement expansion in the West Bank, stating that his "prudent" policy promoted only natural growth. Speaking at a Jerusalem press conference, Mr. Netanyahu stated that he did not think anyone could realistically suggest freezing life in settlements just as he could not see anyone proposing that construction be stopped in Arab communities, which experienced natural growth as well. (*Jerusalem Post*, 28 September)

30. On 26 September, it was reported that more than 1,800 Palestinian houses had been destroyed by the Israeli authorities over the past 10 years. The report published by the B'tselem group also stated that 109 houses had been demolished in 1997 alone, including 29 since the 30 July suicide bomb attacks in Jerusalem. (*The Jerusalem Times*, 26 September)

31. On 28 September, it was reported that during the previous week IDF troops had mounted a series of military exercises near Jenin aimed at reconquering Palestinian-controlled areas and battling Palestine Liberation

Organization (PLO) fighters attacking Jewish settlements. According to Israel Radio, soldiers practised recapturing a Jewish settlement that had been overrun by the Palestinian police. In the drill, the IDF succeeded in its mission, but suffered a large number of casualties. Quoting a senior Palestinian security official, Reuters news agency stated that the IDF had trained with helicopters, tanks and troops near Jewish settlements surrounding Jenin. The exercise had taken place one year after the bloody riots that followed the opening of an exit to the Western Wall tunnel and was reportedly designed to send a message to the PA that the IDF had learned the lessons of the previous year and was preparing for the possibility of an all-out war. The IDF, which had previously acknowledged that it had made contingency plans for a major conflagration with the Palestinians in the territories, refused to elaborate on the reported exercise, stating that it did not discuss its operational or training activities. (*Jerusalem Post*, 28 September)

32. On 29 September, the Israeli Government released the sum of $17 million owed to the PA in tax transfers, which represented half of the sum still owed. (*The Jerusalem Times*, 3 October)

33. On 1 October, the Israeli authorities released the founder and spiritual leader of Hamas, Sheikh Ahmad Yassin. Sheikh Yassin was flown from Israel to Jordan in a Jordanian medical helicopter. The move was believed to have been taken following the intervention of King Hussein of Jordan, who had strongly condemned the attack in Jordanian territory perpetrated by agents of the Mossad a week earlier. The head of the Hamas political section, Khaled Mish'al, was seriously injured on 25 September when two people, believed to be Mossad agents posing as Canadian tourists, attacked him outside his office in Amman. (*The Jerusalem Times*, 3 October)

34. On 3 October, it was reported that the PA had arrested 90 Hamas activists in the West Bank and Gaza Strip during the previous week and had closed down several Islamic institutions. (*The Jerusalem Times*, 3 October)

35. On 5 October, it was reported that the Israeli intelligence community was the only one in the democratic Western world to continue to regard the liquidation of important personalities as a legitimate working instrument to achieve national security goals. That principle had been applied for more than 50 years in operations that yielded very limited results in the fight against "terrorism", often inflicting heavy political damage on Israel instead. Apart from the Mossad, the only agency authorized to operate outside Israel, the GSS, the intelligence branch and elite IDF units had also been involved in such missions, which targeted mainly Palestinian "terrorists" or foreign scientists who had worked on Egyptian and Iraqi armament projects in the 1960s and 1970s, respectively. (*Ha'aretz*, 5 October)

36. On 6 October, Sheikh Ahmad Yassin, the founder of Hamas, returned to Gaza after some nine years in an Israeli prison where he was to serve a life sentence for ordering the killing of Israeli soldiers and Palestinian collaborators. An estimated crowd of 20,000 welcomed Yassin at the local stadium in Gaza, chanting "God is great" and calling him the "king of the intifada". Yassin addressed the rally with an appeal for unity and expressed the hope that Yasser Arafat would win freedom for his homeland. (*Ha'aretz*, 6 October; *Jerusalem Post*, 6 and 7 October)

37. On 6 October, Sheikh Ahmad Yassin returned to the Gaza Strip. Statements made by him illustrated a new trend in Hamas policies and a commitment to work for the unification of the Palestinian people in seeking peace. (*The Jerusalem Times*, 10 October)

38. On 7 October, Hamas founder Sheikh Yassin told reporters in Gaza that Hamas would stop targeting Israeli civilians if Israel stopped killing Palestinians, confiscating land, demolishing houses, building settlements and so on. A senior Hamas official in Gaza, Abdel-Aziz Rantisi, explained that a truce meant a two- or three-year ceasefire if Palestinian demands were met, including Israeli troop withdrawals and the release of Palestinian prisoners. Prime Minister Benjamin Netanyahu's policy adviser, David Bar Illan, stated that Israel would not pursue a ceasefire agreement as long as Hamas as a group did not formally abandon its policy of attacking Israelis. (*Ha'aretz*, *Jerusalem Post*, 8 October)

39. On 10 October, it was reported that the Israeli Prime Minister had announced that the Government would allow the construction of 300 new housing units in the Efrat settlement, south of Bethlehem, which is located near the Arroub refugee camp. (*The Jerusalem Times*, 10 October)

40. On 12 October, the Council of Jewish Settlers in the West Bank and the Gaza Strip alleged that Arab housing construction was on the rise in a dozen villages surrounding Jerusalem and warned that the trend could threaten the status of Jerusalem. The Council stated that it had surveyed the villages from the air and found that Palestinians had built 19,000 housing units in the Jerusalem area since the signing of the Oslo Accords in 1993. The Council's Director-General, Aharon Domb, accused the Palestinians of establishing facts on the ground in advance of final status negotiations. Prime Minister Benjamin Netanyahu's policy adviser, David Bar Illan, stated that the construction

constituted blatant unilateral action. (*Jerusalem Post*, 13 October)

41. On 13 October, the Israeli Government's legal adviser, Elyakim Rubenstein, stated that he was concerned over new developments at the Al-Aqsa Marwani prayer site. Rubenstein noted that the Islamic *Waqf* was not only restoring the site but also intended to expand it. (*The Jerusalem Times*, 17 October)

42. On 14 October, the Director of the Islamic *Waqf*, Adnan Husseini, rejected Elyakim Rubenstein's allegations concerning the expansion of the Marwani prayer site and stated that the walls of Jerusalem would have to be knocked down for the site to expand. (*The Jerusalem Times*, 17 October)

43. On 10 October, a Hamas official in Gaza denied reports that his organization had offered Israel a truce. The official added that should Israel agree to a ceasefire, the PA would be in charge of negotiating the details. (*The Jerusalem Times*, 17 October)

44. On 27 October, the Director of the Al-Aqsa Mosque, Sheikh Mohamed Yassin, condemned the Israeli Government for abetting Jewish extremists and their demands to end repairs and restoration work at the Al-Aqsa compound. Sheikh Yassin noted that restoration work was an activity undertaken by the Islamic *Waqf* on an annual basis. (*The Jerusalem Times*, 31 October)

45. On 28 October, the PA and Israel agreed to discuss ways and means of improving the conditions of Palestinian prisoners in Israeli prisons. The committee created for that purpose was to meet on a monthly basis. (*The Jerusalem Times*, 31 October)

46. On 30 October, Israel's Attorney-General, Elyakim Rubenstein, stated that the restoration work at the Marwani prayer site in the Al-Aqsa Mosque compound did not disturb the status quo and had not caused damage to any Jewish antiquities. The Israeli High Court turned down a petition submitted by the Jewish extreme right group Hai ve Kayam to prohibit further restoration work on the site. (*The Jerusalem Times*, 7 November)

47. On 31 October, it was reported that the Israeli Military Commission for Complaints had decided to postpone hearings concerning land confiscation on the eastern outskirts of Jerusalem. The hearings had been meant to provide Palestinian landowners with the opportunity to submit proof of their title deeds to land that the Israeli Government planned to confiscate in order to expand the Maaleh Adumim settlement. The expansion is part of a plan called "The Eastern Gate" and affects the Palestinian owners of 12,443 dunums of land in five villages. (*The Jerusalem Times*, 31 October)

48. On 7 November, it was reported that the PA Minister for Finance, Mohammed Zuhdi Nashashibi, had stated that Israel had not released $35 million worth of revenues withheld from the PA. (*The Jerusalem Times*, 7 November)

49. On 13 November, PA President Yasser Arafat announced that the Authority would declare statehood in 1999, that is, at the end of the five-year interim period of autonomy, if need be unilaterally. Speaking to reporters in Gaza, Mr. Arafat accused Prime Minister Netanyahu of dragging his feet in the negotiations with the Palestinians and warned that his policies were set to bring disaster not just for the Israelis and the Palestinians but also for the people of the entire region. Commenting on Mr. Arafat's declaration about a Palestinian State, the Prime Minister's communications advisor, David Bar Illan, stated that a unilateral declaration would violate earlier agreements because it would prejudice negotiations on a final status settlement. (*Jerusalem Post*, 14 November)

50. On 13 November, the General Assembly, meeting in emergency special session, passed resolution ES-10/4 by a vote of 139 to 3 (Israel, the Federated States of Micronesia and the United States of America) with 13 abstentions, in which it condemned Israel for violating previous Security Council resolutions and demanded that it halt construction on Jebel Abu Ghneim (Har Homa) immediately and desist from settlement activities on occupied Palestinian land, including Jerusalem. The Assembly also called for the parties to the Fourth Geneva Convention to convene by February 1998 in order to enforce international rules for the protection of civilians in time of war. The emergency session was the third of its kind to be held by the Assembly on the Har Homa issue. The United States had twice vetoed measures in the Security Council that would have condemned the construction of the settlement. (*Ha'aretz*, 14 November; *Jerusalem Post*, 13 and 16 November)

51. On 16 November, following the death of a Palestinian boy who had been shot in the head by an IDF soldier during disturbances in the Aida refugee camp, the human rights organization B'tselem issued a statement charging that IDF open-fire regulations had resulted in innocent Palestinian lives being lost. It indicated that 275 Palestinian children aged under 16 had been killed by IDF gunfire over the past 10 years, 69 of them were under 12. It added that since the signing of the Oslo Agreements in 1993, 38 children aged under 16 had been killed, 5 of them under 12 years of age. (*Ha'aretz*, *Jerusalem Post*, 17 November)

52. On 17 November, Israel opposed the adoption of a resolution included in the final communiqué of the Middle East economic conference in Qatar, which called for "a comprehensive peace in the Middle East based on land for peace". (*Jerusalem Post*, 18 and 19 November)

53. On 19 November, National Infrastructure Minister Ariel Sharon presented the United States with maps outlining Israel's security and settlement concerns in a final status arrangement with the Palestinians. "Israel must retain several security zones in the territories in any final status settlement", Mr. Sharon told United States National Security Adviser Sandy Berger during a White House meeting. Among the zones to be retained were the Jordan River valley, east-west roads cutting through the territories as well as water sources, an Israeli official specified later. (*Jerusalem Post*, 20 November)

54. On 22 November, the spokesman for Prime Minister Netanyahu, Shai Bazak, stated that the Prime Minister had not promised anyone a settlement freeze, denying a report that a pledge to that effect had been made to United States President Bill Clinton. Mr. Bazak's disclaimer ran counter to a report aired on Channel 1, according to which Member of the Knesset (MK) Shimon Peres had quoted Mr. Clinton as having told him that the Prime Minister had promised him a settlement freeze. (*Jerusalem Post*, 23 November)

55. On 22 November, on the date chosen by Hamas to mark the tenth anniversary of the intifada, Hani Hourani, an adviser to PA President Arafat, told the *Al-Bilaad* newspaper that the Oslo process was dead for all practical purposes. The process did not die just because of the policies of Prime Minister Benjamin Netanyahu, he stated, "but rather because of elements enshrined in the agreement itself". (*Jerusalem Post*, 23 November)

56. On 23 November, Prime Minister Netanyahu declared that Israel's response to an incident on 19 November in which a 26-year-old yeshiva student had been shot dead in the Old City of Jerusalem would be to increase the Jewish presence there. Addressing some 150 students of the Ateret Cohanim Yeshiva where the victim had studied, Mr. Netanyahu vowed that Israel would hold on to all of Jerusalem and make all the necessary efforts to that effect. "We intend to continue with other things that will allow us to enforce our sovereignty over all parts of Jerusalem and to facilitate the settlement of Jews everywhere", he declared. (*Jerusalem Post*, 24 November)

57. On 23 November, following a visit to the Old City of Jerusalem, Prime Minister Netanyahu declared that his Government was committed to increasing the presence of settlers in Arab Jerusalem and Hebron. Netanyahu also ordered two new police stations to be set up, in addition to the one set up in an Arab house immediately following the killing of a settler two days earlier in the Muslim Quarter. This was the first police station to be established on Al-Wad Street, the main artery linking the Damascus Gate with the area of the Western Wall. It was also the fourth Israeli police station to be set up inside the Old City. (*The Jerusalem Times*, 28 November)

58. On 24 November, Prime Minister Netanyahu vowed that Israel would never abandon the Gush Etzion settlement bloc. Speaking at the Knesset plenary session on the occasion of the thirtieth anniversary of the re-establishment of settlements in Gush Etzion, Mr. Netanyahu pledged to continue to develop and fortify the 20,000-strong settlement bloc spreading "from Neve Daniel in the north to Karmi Tzur in the south; from Beitar in the west to Tekoa and Nokdim in the east". Labour Party Chairman MK Ehud Barak also expressed his support for the Gush Etzion settlers, depicting them as"sons returning to their land, as the inheritors of a fighting tradition and of the pioneers, and as the emblem of present-day Zionism who continued the settlement of Gush Etzion which would never be halted". (*Ha'aretz*, 25 November)

59. On 24 November, the Palestinian Minister without Portfolio, Faisal Husseini, warned of a potential outbreak of violence should the Israeli Government go ahead with plans to expand the already existing settlements in the Old City of Jerusalem. Husseini said that the recent declarations by Prime Minister Netanyahu stated openly the Israeli Government's support for settler expansion inside the Old City. (*The Jerusalem Times*, 28 November)

60. On 25 November, it was reported that a new governmental plan proposed transferring an additional 6 to 8 per cent of area C of the West Bank to the PA. Under the plan, IDF troop redeployment would take place within five months and be contingent on the Authority's agreeing to suspend a third redeployment until the conclusion of the final status talks. Upon completion of the redeployment, the PA would control from 35 to 37 per cent of the West Bank. Its area of jurisdiction would comprise all of areas A and B as well as 6 to 8 per cent of area C. The Government's proposal for limited redeployment in area C was immediately rejected by Palestinian officials, most of all by the PA Minister for Information, Yasser Abed Rabbo, who dismissed it as "ridiculous". (*Jerusalem Post*, 25 November; *Ha'aretz*, 26 November)

61. On 27 November, Prime Minister Netanyahu drew a new map of Israel and the adjacent Palestinian "entity", which kept the Jordan Valley, Gush Etzion and other

"security zones" under Israeli sovereignty. Under the plan, Israel would also control the coastline of the Gaza Strip. Mr. Netanyahu stated that the role of the Jordan Valley was to serve as a buffer against a military attack from the east. He contended further that Israel also had to maintain a line of defence along its western flank: hence the need for Israeli control of Gaza's coastline. In addition to retaining Jerusalem within its enlarged municipal boundaries and the Etzion bloc of settlements, the Prime Minister also advocated a narrow "security zone" east of the Green Line, pointing out that most of the security zones contained few Arab inhabitants. Mr. Netanyahu once again expressed his opposition to the creation of a Palestinian State, warning that Israel would take swift countermeasures should the PA declare an independent and fully sovereign State. On the other hand, he stated that the Palestinians should be allowed to manage their own lives, describing this as a "functional division of authority", with overall security remaining exclusively in Israeli hands. Asked whether he included the Palestinian refugees in his peace package, Mr. Netanyahu replied that their problem should be solved by the PA. He ruled out, however, a mass repatriation to Israel, contending that there was a consensus against it that encompassed the entire domestic political spectrum. He warned that a massive influx of refugees to the autonomous areas would cause "irredentist pressure" on Israel. Mr. Netanyahu presented his territorial proposals at an Editors' Committee luncheon organized to mark the fiftieth anniversary of the General Assembly vote in favour of the partition of Palestine to allow for the establishment of Jewish and Arab States. (*Jerusalem Post*, 28 November)

62. On 28 November, it was reported that the PA had sent a protest to Israel demanding the return of 9 dunums of land seized a week earlier in the Mawasi area west of Khan Younis by settlers from the Neve Dekalim settlement, the largest in the Gaza Strip. The head of the Palestinian team of the Joint Liaison Bureau stated that Israel had committed 320 violations of the Oslo Accords in the Mawasi area since their signing. (*The Jerusalem Times*, 28 November)

63. On 28 November, it was reported that the Israeli authorities had built a wall around Rachel's Tomb in Bethlehem, which took up half the Jerusalem-Bethlehem highway. According to the Deputy Governor of Bethlehem, Munther Arsheed, the area was declared a closed military zone at least once a week. Arsheed said that the measures were aimed at redrawing Jerusalem's municipal boundaries. (*The Jerusalem Times*, 28 November)

64. On 29 November, in a message delivered during celebrations in Tel Aviv marking the fiftieth anniversary of the 1947 United Nations Palestine partition resolution, the Secretary-General of the United Nations said that the hardest decisions stemming from the partition resolution still lay ahead and he urged renewed efforts to reach the goal of peace. The message, delivered on the Secretary-General's behalf by the Director-General of the United Nations Office at Geneva, indicated that the vote on the partition plan, following a period of intense debate, was one of the most agonizing in United Nations history.

> "But the plan was not accepted by the Palestinians and Arabs and Arab States. Over the following decades, the region was the scene of several major wars, not to mention countless acts of violence and tragic incidents which produced suffering, anger and bitterness on all sides."

The Secretary-General stated that Israelis and Palestinians had shown admirable courage in joining the negotiations launched in Madrid in 1991 and later in signing the Oslo Accords, adding:

> "Regrettably, recent developments have sparked concern that the peace process is in jeopardy. Horrifying acts of violence against innocent civilians have occurred, including in Tel Aviv ... The day-to-day reality of too many people in the region continues to be one of insecurity, destitution and despair. Tonight's festivities are a time of celebration and affirmation for the State of Israel and for Israelis everywhere ... They should also serve as a reminder that the vast majority of Israelis and Palestinians yearn for a comprehensive, just and lasting solution that would enable them to coexist in peace".

Meanwhile, PA Chairman Yasser Arafat called on the United Nations to give the Authority full membership in the United Nations (currently, Palestinians only have observer status in the Organization). "We hope for your support for the Palestinians' fair demand to participate completely in the work of the United Nations", Mr. Arafat stated in a message carried by the Palestinian news agency *Wafa* to mark the anniversary of the partition resolution and the International Day of Solidarity with the Palestinian People. (*Jerusalem Post*, 30 November)

65. On 30 November, in a declaration of intent without geographical or chronological details, the Government announced its willingness to order an IDF troop withdrawal from unspecified areas of the West Bank until a permanent arrangement with the Palestinians went into effect. With 16 Ministers voting in favour and 2 abstaining, a special team to be headed by Prime Minister Benjamin Netanyahu was authorized to draw up the requisite maps and timetables for the implementation of the decision. The Cabinet's

decision also contained an unequivocal expression of support for West Bank settlements, including a pledge to take all the necessary measures to ensure their existence and strengthening. Cabinet Secretary Dan Naveh stressed that the implementation of the troop redeployment was conditional on the PA's fulfilling the same commitments as contained in the Hebron Agreement, including disarming Hamas, extraditing "murderers" to Israel and concluding the revision of the Palestinian National Charter. (*Ha'aretz*, *Jerusalem Post*, 1 December)

66. On 1 December, Prime Minister Netanyahu warned that if PA President Arafat were to declare a Palestinian State unilaterally, he would announce the annexation of the Jordan Valley and "other territories" in response. Commenting on Mr. Netanyahu's threat, Yasser Arafat stated that a Palestinian State already existed. Speaking to reporters on 2 December, he stated: "Let it be quite clear that the State of Palestine exists and that Al-Quads al-Sharif, which was occupied in 1967, will be its capital." (*Ha'aretz*, 2 December; *Jerusalem Post*, 2 and 3 December)

67. On 8 December, members of the PLC marked the tenth anniversary of the outbreak of the intifada by opening the Council's session with a moment of silence in memory of Palestinians killed during the uprising. (*Jerusalem Post*, 9 December)

68. On 8 December, the human rights organization B'tselem released a report on Israeli human rights violations against the Palestinians since the beginning of the intifada. The report claimed that 1,346 Palestinians, 276 of whom were children under 17 and 70 under 13, had been killed by the IDF or the security forces since the beginning of the uprising on 9 December 1987 up to 30 November 1997. Some 1,308 of the victims had been injured by gunfire, 15 beaten to death, 10 had died during interrogation and 5 as a result of poor detention conditions. Another 133 Palestinians had been killed by settlers during the same period, while 256 Israeli civilians, 18 of them children, and 127 IDF and security forces had been killed by Palestinians. The report claimed that in most fatal shooting incidents the security forces had not faced life-threatening situations. Despite this, those responsible had stood trial in only 55 cases. Nineteen soldiers had been found guilty of killing or killing by negligence. Seventeen had been convicted of offences unrelated to the cause of death (including abuse and causing injury); 14 had been acquitted on all charges, 3 were currently standing trial while 2 had had their charge sheets annulled. The report noted that there had been a dramatic decline in the number of Palestinians killed by IDF gunfire following the IDF troop withdrawal from most of the Gaza Strip and towns in the West Bank as part of the implementation of the Oslo Accords. However, no such decrease had occurred with regard to children, who represented 27 per cent of those killed in 1997. The report accused the security forces of having made few attempts to prevent settler violence or to arrest the offenders. It charged that numerous violent acts had not been investigated at all, while in other cases investigation had lasted a long time, ending without anyone being brought to trial. The report added that in most of the trials that had actually been held, especially lenient punishments had been meted out, in marked contrast to the law enforcement and punishment policy in cases of Palestinian attacks on Israelis. According to the report, 447 Palestinian houses had been demolished and 294 sealed off as punishment for violent offences committed by a suspected or convicted family member. Some 106 houses had been demolished by artillery fire because fugitives were suspected of hiding inside. Another 1,800 houses had been demolished on the grounds that they had been built without a permit. (*Jerusalem Post*, 8 and 9 December; *Ha'aretz*, 9 December)

69. On 9 December, the Knesset passed a law prohibiting a Palestinian census in East Jerusalem. The proposal for the law had been submitted by the Israeli Government. The first day of the census, the Israeli police had arrested an enumerator, who was released after questioning. (*The Jerusalem Times*, 12 December)

70. On 10 December, the Knesset approved an amendment to the law on the implementation of the Oslo Accords in order to prevent the PA from conducting a census in East Jerusalem. The original legislation banned the Authority from "opening, operating offices or holding meetings within the State of Israel", while the new version broadened the ban to include "activities" as well. The Prime Minister made a brief statement on the importance of the unity of Jerusalem as Israel's eternal capital, stating:

> "I believe that as long as Jerusalem is united our people will be united. I call on all the people represented here to support the bill on the implementation of the Interim Agreement banning all activity of a political or similar nature that is not in keeping with honouring Israel's sovereignty in Jerusalem."

The PLC urged residents of East Jerusalem to defy the Israeli law. A Council statement called on the Palestinian residents of Jerusalem to "ignore the Israeli occupation law and exercise their right to provide information to the census-takers". (*Ha'aretz*, 10 and 11 December; *Jerusalem Post*, 11 and 12 December)

71. On 12 December, ending its annual debate on the question of Palestine, the General Assembly, adopted a resolution by a vote of 160 to 2 (Israel and the United States of America) reaffirming the right of the Palestinian people to self-determination. In a resolution passed the week before, the Assembly had once again demanded a halt to the construction of the Har Homa settlement at Jebel Abu Ghneim. In a resolution entitled "Peaceful settlement of the question of Palestine", passed by a vote of 155 to 2 (Israel and the United States of America), the Assembly called on the parties concerned, the co-sponsors of the Middle East peace process and the international community to bring the peace process back on track and to ensure its success. The Assembly also passed a resolution by a vote of 148 to 1 (Israel), stating that Israel's imposition of its laws, jurisdiction and administration on Jerusalem was illegal. A resolution calling on Israel to withdraw from the Golan Heights was adopted by a vote of 92 to 2 (Israel and the United States of America). Finally, the Assembly voted by an overwhelming majority to continue its support for the Division for Palestinian Rights of the Secretariat as well as the Committee on the Exercise of the Inalienable Rights of the Palestinian People. The United States and Israel, who voted against, argued that those groups were anachronistic and that they consumed scarce funds that could be earmarked for humanitarian purposes instead. (*Jerusalem Post*, 14 December)

72. On 14 December, PA President Yasser Arafat reportedly declared that the "Zionists" had committed hundreds of millions of dollars to Judaize Jerusalem and perpetuate it as Israel's eternal capital. During a speech to the Organization of the Islamic Conference in Tehran, Mr. Arafat also made references to the opening of an exit to the so-called Western Wall tunnel in 1996 and the subsequent "anger of the Arab and Islamic nations and the whole world". He charged that the move was in addition to plans to settle Ras al-Amud and Har Homa in order to isolate Jerusalem from its Palestinian hinterland. (*Jerusalem Post*, 14 December)

73. On 16 December, the Government Press Office issued a special report documenting over 50 anti-Semitic remarks made in the past year in the Palestinian media and by senior PA officials. The 13-page report, entitled "A Compendium of Hate, Palestinian Authority Anti-Semitism Since the Hebron Accord", noted that the Oslo Accords and the Hebron Protocol required the PA to refrain from incitement and to take measures to prevent others from engaging in it. In violation of the accords, however, PA officials had reportedly promoted anti-Semitism as an integral part of their rhetoric and encouraged its use in the Palestinian media. Six recurrent themes were discernible, according to the report: classic anti-Semitic stereotypes; comparisons of Israel with Nazis and fascists; denial of the Holocaust; libellous accusations; the delegitimization of Israel and the Jewish people; and equating Zionism with racism. The report charged further that, in the tradition of the blood libels of the Dark Ages, senior PA officials had accused Israel of injecting the HIV virus into Palestinian children, conducting medical experiments on prisoners and selling spoiled food products to the Palestinians. The report continued that the Palestinians made frequent references to the historically discredited "Protocols of the Elders of Zion", published tales of "Jewish plots" and "Jewish fangs", and depicted Jews as power-hungry people "lusting after money". Examples of quotations from PA literature included the following:

> "Israeli practices in many respects are equal with, if not more brutal than, those practised by occupying Nazi soldiers dealing with French-Dutch citizens during World War II." (From a PA Information Ministry press release, 10 December, 1997)
>
> "Netanyahu's plan completely matches the foundations of the greater Zionist plan which is organized according to specific stages that were determined when the Protocols of the Elders of Zion were composed." (From an article published in the PA official newspaper *al-Hayat al-Jadeeda* on 30 November 1997)

(*Ha'aretz*, *Jerusalem Post*, 17 December)

74. On 16 December, it was reported that almost a third of West Bank settlements – 42 out of 144 – including Kiryat Arba, Beit El, Ofra and Kadmim, had not been included in a map of those representing security interests drawn up by the Defence Ministry. This meant that the settlements would not remain under Israeli sovereignty as part of a final settlement with the Palestinians. Furthermore, the map was considered to be a first admission by the Defence Ministry that approximately one third of West Bank settlements were not considered strategic assets but rather "political settlements", as they had been described by the late Mr. Rabin. The fact that the settlements had been left out of the map did not mean, however, that they would be evacuated, a move opposed by Netanyahu's Government. Their omission did not necessarily mean that they would be placed under Palestinian sovereignty either, since they were still part of another map of national interests that included all the West Bank settlements. According to senior officials, the 42 settlements in question and access roads leading to them would be included in an arrangement under which they

would remain under Israeli extraterritorial control. (*Ha'aretz*, 16 December)

75. On 17 December, it was reported that the Government had so far paid 97.5 million new Israeli shekels (NIS) in compensation to Palestinian residents of the territories who had been injured during the intifada. In the past year alone, some NIS 26 million had been paid and the number of lawsuits was growing steadily. Representatives of the State Prosecutor's Office and the IDF had reported to the Knesset Constitution, Law and Justice Committee that they estimated that the compensation payments would reach a total of some NIS 750 million. The Committee was said to be debating the so-called "Intifada Law", which would limit the number of Palestinians eligible for reparation payments for damages they suffered during the intifada. The Committee's session was held after Defence Minister Yitzhak Mordechai had requested the Committee Chairman, MK Shaul Yahalon, to speed up work on the bill, which had passed its first reading in July. Mr. Mordechai described the bill as extremely important and warned that, should it not pass, "precious funds that have been allocated to strengthen the State will be spent on compensation payments to individuals who had been involved in hostile acts and agitation against the State of Israel". According to the head of the Defence Ministry's Claims Units, Victor Bar Gil, of the 5,000 lawsuits that had been dealt with, 4,000 had been settled through compromise arrangements. Currently some 1,100 lawsuits remained open, of which 873 were being heard in court and 226 handled by the Defence Ministry. Ministry officials stated that they had recently been "flooded" with new lawsuits, with 600 being submitted in 1997 alone. The largest payment so far was the NIS 3 million paid to the family of a girl who had suffered a severe head injury that had left her in a vegetative state. Ministry officials also noted that the levels of reparation payments set by the courts had increased steadily. A few years ago, the courts would grant NIS 80,000 for the loss of an eye; today the sum had increased to NIS 280,000. The proposed intifada legislation had come under fire from human rights organizations, who maintained that the proposed bill was a blatant violation of human rights, in contradiction with the basic principles of both international and Israeli law. A statement issued by the organizations noted that the bill would totally relieve the security forces of responsibility for harm done to the civilian population of the territories. The organizations noted that the proposed bill artificially broadened the definition of "military action", thus exempting the State from responsibility for damage suffered by civilians. The only exception under the bill concerned cases in which the security forces were convicted of causing "malicious damage". The organizations contended that this meant that almost no soldiers would be brought to trial, thereby exempting the State from having to pay damages. Finally, they noted that the proposed bill stipulated a one-year prescription for harm done by the security forces in the territories, as opposed to the seven-year prescription for damage inside Israel. (*Ha'aretz*, 17 December)

76. On 19 December, in an address to Jewish journalists, the Prime Minister declared that the West Bank was an integral part of the State of Israel and that Jews should stay there since it was their country and homeland. Mr. Netanyahu's remarks drew widespread Palestinian condemnation. PA President Yasser Arafat stated that Mr. Netanyahu's remarks were a flagrant violation of the signed accords and jeopardized the peace process. A statement issued by Imad Falouji, PA Minister for Communications and Postal Affairs, claimed that they revealed Israel's intentions regarding the peace process and warned that they would bring the whole area to the brink of war. (*Ha'aretz*, *Jerusalem Post*, 21 December)

77. On 19 December, it was reported that some 5,000 lawsuits had been filed in Israeli courts against the Israeli army by Palestinians injured during the intifada. The report was published in the Tel Aviv daily *Ma'ariv*. The Knesset was reportedly considering a draft law that aimed to exempt Israel's security forces from civil liability for most of their activities in the West Bank (with the exception of East Jerusalem) and the Gaza Strip. The law, which defined combatant activities very broadly, stated that Israel would not be required to pay damages for injuries sustained during such activities, unless the perpetrator was convinced of inflicting the injuries intentionally. (*The Jerusalem Times*, 19 December)

78. On 21 December, a senior IDF jurist, Lt.-Col. Daniel Reisner, revealed that the majority of IDF officers had never had any formal instruction about the rules of war and that most of their awareness of the issue came from movies and television. Mr. Reisner pointed out that commanders were faced with international law dilemmas while on duty in Lebanon, the West Bank and the Gaza Strip. The IDF Advocate-General, Brig.-Gen. Uri Shoham, also stated that knowledge of international law was not satisfactory. Responding to the criticism levelled against it, the IDF stated that it would declare 1998 the year of international law and would launch an ambitious project to increase instruction on the issue. (*Jerusalem Post*, 22 December)

79. On 23 December, Orient House in Jerusalem denied reports that a joint Palestinian-Israeli effort had led the Israeli Ministry of the Interior to suspend its policy of identity card (ID) withdrawals from Jerusalem Palestinians.

Orient House indicated that two more IDs had been withdrawn since 22 December, on the grounds that the ID holders were living outside the City limits set by Israel. (*The Jerusalem Times*, 26 December)

80. On 25 December, it was reported that a several hundred per cent increase in the number of arrests and trials of residents of the territories who had stayed in Israel illegally had been noted over the past six months, as compared with the same period in 1996. Employers, drivers who had driven Palestinians to their workplaces and individuals who had arranged accommodation for them had also been tried. On the whole, 1,540 workers from the territories had been tried between May and November – a 300 per cent increase in comparison with the same period in 1996. Some 2,100 criminal files had been opened against individuals for assisting illegal stay, while many others had been made to pay large fines. (*Ha'aretz*, 25 December)

81. On 27 December, the Israeli Government rejected as a non-starter unworthy of consideration the proposal of PA President Yasser Arafat to have an international force stationed in the West Bank areas that Israel deemed vital to its security. (*Jerusalem Post*, 28 December)

### 2. Incidents resulting from the occupation

82. The following abbreviations of the names of newspapers are used in the tables:

H: *Ha'aretz*

JP: *Jerusalem Post*

JT: *The Jerusalem Times*

#### (a) List of Palestinians killed by troops or Israeli civilians

| *Date* | *Name and age* | *Place of residence* | *Remarks and source* |
|---|---|---|---|
| 15 November 1997 | Hassar Ali Jarawish, 7 or 9 | Beit Safafa (Jerusalem) | Shot in the head by an IDF soldier during disturbances near Rachel's Tomb on 11 November. Died of his wounds four days later. (H, 12 and 17 November; JP, 13, 16 and 17 November) |
| 22 November | Jimmy Kanawati, 36 or 37 | Bethlehem (citizen of El Salvador) | Shot dead by border policemen who claimed to have opened fire after the car he was driving ran through their roadblock near the Gilo settlement. According to a passenger, the policemen opened fire without any warning or provocation. The Justice Ministry's Police Investigation Department is said to have opened an investigation into the incident. (H, JP, 23 November; also referred to in JT, 28 November) |

#### (b) List of other Palestinians killed as a result of the occupation

| *Date* | *Name and age* | *Place of residence* | *Remarks and source* |
|---|---|---|---|
| 4 September 1997 | Not reported (three persons) | Village of Azira Shamalya (Nablus area) | Hamas suicide bombers. Blew themselves up in Jerusalem's Ben-Yehuda pedestrian mall. (H, JP, 5 and 24 September) |
| 16 September | Marwan Ma'ali, 31 | Not reported | Administrative detainee, arrested on 4 August. Found hanging in his cell in Meggido prison. Palestinian human rights groups alleged that he had been tortured. The IDF spokesman announced that the case had been submitted to the police for investigation. (H, 17 September; JP, 19 September) |
| 21 November | Badran Abdo, 23 | Rafat (West Bank) | Hamas activist and chemistry teacher. Was apparently killed when a bomb he was preparing exploded in the village of Rafat. (JP, 23 November) |
| Exact date not reported | Jihad Abed A-Razak, 40 | Not reported | Detained in Gaza as a suspected collaborator. Killed by a convicted murderer who suspected him of collaboration with the GSS. (JP, 7 December) |

**(c) Other incidents**

83. On 30 August 1997, a border policeman, a civil guard volunteer and four Palestinians were injured during clashes between policemen and residents of the Kalandiya refugee camp north of Jerusalem. The incident began when dozens of residents threw stones at a police car chasing a suspicious vehicle in the camp. The policemen responded by firing tear-gas and rubber bullets at the crowd, slightly injuring four Palestinians. One of the stone-throwers was arrested. (*Jerusalem Post*, 31 August)

84. On 1 September, two incidents involving the throwing of stones at Israeli soldiers occurred in the Gaza Strip. In one of the incidents, at the Deir el-Balah intersection, the windshield of an IDF patrol jeep was smashed. The assaults did not result in any injuries. (*Jerusalem Post*, 2 September)

85. On 2 September, the security forces arrested seven Palestinian brothers in the village of Khader in the Bethlehem area. Palestinian sources reported that some 30 soldiers and security agents had arrived in the village at 3 a.m. and whisked away the men, whom they charged with involvement with Islamic militant groups. (*Jerusalem Post*, 3 September)

86. On 4 September, three suicide bombers blew themselves up (see list) seconds apart in Jerusalem's Ben-Yehuda pedestrian mall, killing four people, including two 14-year-old girls, and themselves and wounding up to 200. A fifth Israeli died four days later as a result of severe injuries sustained during the attack. Sources in the Israeli police stated that they believed the attackers had come from abroad, but had received extensive logistical aid from supporters in East Jerusalem. The military wing of Hamas, Izz Al-din al-Qassam, had taken responsibility for the attack, threatening to carry out additional attacks on 14 September. Security officials stated that the attack could have been far more destructive had the suicide bombers not detonated relatively small bombs and had they not arrived during the hottest part of the day when the area was less crowded. The Prime Minister stated that the citizens of Israel would not be guinea pigs to test Yasser Arafat's goodwill or credibility. He warned that Israel would go a different way and review its approach to the entire negotiating process. Jerusalem Mayor Ehud Olmert accused Arafat of being the inspiration and the orchestrator of "terrorist actions", declaring that the peace process would not continue along the same pattern as it had in the past. At a press conference in Gaza, Yasser Arafat condemned the bombing as a terrorist act against innocent citizens, stating that it undermined the peace process that the two peoples were striving for. Other Palestinian officials also condemned the bombing, stating that they would take action to capture the perpetrators. (*Ha'aretz*, *Jerusalem Post*, 5 September; also referred to in *The Jerusalem Times*, 12 September)

87. On 10 September, some 150 residents of Nablus responded to a call by Fatah, Hamas and the PFLP and staged a demonstration in the centre of the town against the visit of the United States Secretary of State, Madeleine Albright, to the region. The demonstrators burned the American flag and Albright's picture and condemned what they described as United States partiality. (*Ha'aretz*, 11 September)

88. On 13 September, a 21-year-old Palestinian woman from Ramallah tried to stab a border policeman with a kitchen knife while he was on patrol near the city. The policeman was not injured and the woman was arrested. (*Jerusalem Post*, 14 September)

89. On 17 September, riots broke out in Hebron during which scores of Palestinians threw stones and bottles at IDF troops, who responded with rubber bullets and tear-gas. Palestinians claimed that the IDF soldiers had beaten a Palestinian until he lost consciousness, a charge denied by the IDF spokesman. The spokesman stated that the riots had broken out after several Palestinians had refused to undergo security checks at one of the army barriers. He also stated that five Palestinians had been detained and taken to a police station for questioning. An IDF soldier was injured in one of the numerous stone-throwing incidents in the territories. In another development, the security forces arrested 17 Palestinians from the Bethlehem area on suspicion of affiliation with Hamas. The security forces also discovered a rifle and a bag of bullets during searches in a house located in the village of Arabeh in the Jenin area. (*Ha'aretz*, *Jerusalem Post*, 18 September)

90. On 17 September, hundreds of Palestinian youths clashed with Israeli troops to protest the takeover by settlers of two Arab houses in the Ras al-Amud quarter in Jerusalem. An undisclosed number were wounded; others were arrested. (*The Jerusalem Times*, 19 September)

91. On 18 September, it was reported on Channel 1 of Israeli television that the GSS had arrested six members of a Hamas cell accused of planning an attack on a Jerusalem shopping mall and of plotting to kidnap Jerusalem Mayor Ehud Olmert and another unnamed figure. Two suspects were from Jerusalem and four from the West Bank. Some of the cell members had been caught after walking in the shopping mall carrying bags containing nails in order to test security there. Reports indicated that they had led the GSS to other "gang" members. (*Jerusalem Post*, 19 September)

92. On 19 September, the security forces announced that the GSS, the IDF and the police had uncovered an Islamic Jihad "terrorist" cell that had been operating in the Samaria region (West Bank). The three "gang" members, who all lived in the village of Arabeh, had allegedly committed several attacks against Israelis and admitted to planning additional ones. (*Jerusalem Post*, 21 September)

93. On 20 September, riots erupted in the Kalandiya refugee camp with border police firing rubber bullets and tear-gas into the camp. In another incident, stones were thrown in Silwan. No damage or injuries were reported. The incidents had reportedly taken place in protest against the Jewish presence in the Arab neighbourhood of Ras al-Amud in East Jerusalem. (*Ha'aretz*, *Jerusalem Post*, 21 September)

94. On 21 September, the IDF arrested up to 70 Hamas activists in villages of the West Bank in a mass campaign of arrests aimed at preventing attacks and learning the identities of the five suicide bombers who had carried out the recent attacks in Jerusalem. In another incident, a Jewish man was stabbed near the Damascus Gate in the Old City of Jerusalem. According to the police, it was still unclear whether the attack was criminally or nationalistically motivated. (*Ha'aretz*, *Jerusalem Post*, 22 September)

95. On 22 September, the IDF continued to arrest Hamas activists in the West Bank. More than 100 activists, some of whom were on the wanted list, and other Hamas collaborators, had been rounded up during waves of arrests since the beginning of the week. According to a senior army officer, at least two attacks had been thwarted thanks to the three-day operation. He indicated that the majority of the arrests had been made in the Nablus area in connection with the Jerusalem suicide bombing investigation. (*Ha'aretz*, 23 September)

96. On 23 September, three Palestinian youths were arrested in possession of an inflammable liquid, after youths had thrown stones at passing cars and blocked the A-Ram junction in Jerusalem. Border policemen fired two shots in the air in order to disperse the crowd. In another incident in Jerusalem, youths from Jebl Mukaber threw stones at the adjoining Arnon Hanatziv settlement, damaging two cars. No one was injured. One boy was detained for questioning. (*Jerusalem Post*, 24 September)

97. On 24 September, as the GSS warned of further "terrorist" attacks, the security forces continued to carry out intensive search operations in the West Bank in order to try to crack the infrastructure of extremist groups and planners of "terrorist" attacks. More than 75 Hamas activists were reported to have been arrested during the previous days in the village of Azira Shamalya (Nablus area), the home of the suicide bombers who blew themselves up in Jerusalem in July and September. In a related development, security officials stated that they had identified the Hamas recruiter and ringleader of the suicide bombers who had blown themselves up in the Mahaneh Yehuda market on 30 July and on Ben-Yehuda Street on 4 September, killing 20 Israelis. (*Ha'aretz*, 24 September; *Jerusalem Post*, 25 September)

98. On 24 and 25 September, Palestinians clashed with Israeli troops in Azira Shamalya in the northern West Bank, the alleged base of suicide bombers who had perpetrated attacks in July and September. (*The Jerusalem Times*, 26 September)

99. On 28 September, a Palestinian car broke through an IDF roadblock in the vicinity of Kalkiliya, hitting an IDF officer. The car was later found abandoned in the Alfei Menasheh settlement. In another development, a tunnel that had probably been used to smuggle weapons, infiltrators and wanted individuals into Israel was discovered at the border crossing with Egypt in Rafah. (*Ha'aretz*, 29 September)

100. On 3 October, it was reported that several marches had been organized by Palestinian citizens outside the houses occupied by Jewish settlers in the Ras al-Amud quarter of Hebron. Protesters pelted the Israeli soldiers with stones after being provoked by the Israeli police. (*The Jerusalem Times*, 3 October)

101. On 9 October, Arab Jerusalem went on strike to protest against the continued presence of settlers in two Arab houses in the Ras al-Amud quarter. (*The Jerusalem Times*, 10 October)

102. On 13 October, the IDF carried out a small-scale sweep against suspected Hamas activists in the West Bank. The IDF spokesman stated that 14 Palestinians had been apprehended on suspicion of involvement in "hostile activities". Residents of the West Bank village of Dahariya stated that Israeli undercover troops had seized a Palestinian suspected of being involved in suicide bombings. According to the witnesses, about 10 Israeli soldiers posing as Arabs had jumped out of a car at a petrol station in the Hebron area village, beaten and shackled a Palestinian man tending the pumps and quickly spirited him away. The IDF spokesman refused to give any details about the incident or to say whether the soldiers had been disguised as Arabs. (*Ha'aretz*, *Jerusalem Post*, 14 October)

103. On 14 October, Palestinians demonstrated in the Ras al-Amud quarter of Jerusalem after Israeli police removed a tent set up by Orient House. The tent had been set up a month earlier in protest against the takeover by settlers of

two Arab houses. Five Palestinians who were inside the tent were arrested. They were subsequently released after paying a fine. (*The Jerusalem Times*, 17 October)

104. On 19 October, a bus driver and a baby girl were slightly wounded when stones were thrown at a bus near Silwad, north of Ramallah. (*Jerusalem Post*, 20 October)

105. On 22 October, Palestinian policemen tried to prevent the Israeli police from detaining a resident of the Gaza Strip suspected of carrying out "hostile activities" in Israel. The incident had occurred when the suspect arrived to the Rafah crossing on his way to Egypt. A computer terminal check found him to be on the wanted list for hostile "terrorist" activities. As the police tried to arrest him, some 20 Palestinian policemen, some of them armed, encircled the patrol car where he was being held and prevented the Israeli policemen from arresting him. The incident reportedly ended with no violence, thanks to the intervention of high-ranking officials. (*Ha'aretz*, 24 October)

106. On 25 October, a Yugoslav construction worker was slightly wounded in Jerusalem's Old City when he was stabbed in the back by a Palestinian after refusing to take off his cap on which was inscribed "IDF". Three suspects were taken for questioning. In another incident, two Palestinians were injured by IDF gunfire during clashes in Bethlehem following a demonstration of solidarity with Palestinian prisoners. (*Ha'aretz*, *Jerusalem Post*, 26 October)

107. On 1 November, demonstrations were held in Ramallah, Hebron, Nablus and Jericho calling for the release of Palestinian security prisoners and a freeze on settlement construction. Some 1,500 Palestinians gathered at the Al-Najah University campus in Nablus and listened to an address by Islamic Jihad leader Ramadan Shallah delivered by telephone from Damascus. "We are preparing for a holy war to defend our land and our religion", he told the crowd, adding that he would fight zionism until the last drop of his blood. Demonstrators also burned Israeli and United States flags. A seven-metre-high poster of the slain Islamic Jihad leader Fathi Shkaki, killed in Malta in 1995, towered over the cheering crowd. In Ramallah, a group of 200 Fatah activists marched through the streets chanting "No peace until the release of prisoners". The demonstrators also burned Israeli flags and a poster of Prime Minister Benjamin Netanyahu. Among those participating were reportedly members of the PLC. United States and Israeli flags were burned during similar demonstrations in Hebron and Jericho. There were no reports of injuries or arrests. (*Jerusalem Post*, 2 November)

108. On 1 November, serious clashes were reported in the Ramallah area between the IDF and landowners from the village of Ein Yabroud who were fighting to prevent the confiscation of their land. The IDF fired live and rubber bullets and tossed tear-gas canisters in an attempt to disperse the protesters. No one was hurt. (*The Jerusalem Times*, 7 November)

109. On 3 November, some 2,000 Palestinians took part in a demonstration at the Islamic University in Hebron to mark the second anniversary of the assassination in Malta of Islamic Jihad leader Fathi Shkaki. Palestinians attending the rally burned Israeli and United States flags and chanted "Death to Israel and America". In another incident, soldiers and police arrested four Palestinians from the village of El Khader near Bethlehem. The IDF spokesman stated that a rifle and bullets had been found during searches in one of the Palestinians' homes. (*Ha'aretz*, 5 November)

110. On 5 November, IDF troops conducted searches in the homes of 168 Palestinian residents living in the Old City of Hebron near settlers' houses in the area under Israeli security control. The residents were forced out of their homes and gathered near the Cave of the Patriarchs (Ibrahimi Mosque) where they were photographed and had their personal details registered. Following the operation, which lasted for several hours, the residents were released. The IDF spokesman stated that the operation was aimed at "documenting residents in the area as part of the war against terrorism and disturbances". (*Ha'aretz*, 7 November)

111. On 10 November, an anti-Israeli demonstration was held in Ramallah with Palestinian youths chanting slogans in support of Iraqi President Saddam Hussein, calling for missiles to be fired on Tel Aviv and burning United States and Israeli flags. Similar demonstrations took place in Gaza. In another development, up to 200 Palestinians protested at Rachel's Tomb against the detention of a Palestinian female, Ataef Alian, who was said to have been on a hunger strike for three weeks in protest against her incarceration without trial under an administrative detention order. The demonstrators threw stones at IDF soldiers, who responded with tear-gas and riot grenades, some of which landed in a nearby Palestinian girls' school. Two demonstrators were slightly injured by rubber bullets and 10 were injured by tear-gas inhalation during the incident. (*Ha'aretz*, *Jerusalem Post*, 11 November)

112. On 11 November, a Palestinian boy was critically wounded in the head when IDF soldiers opened fire at Palestinian stone-throwers near Rachel's Tomb in Bethlehem. Witnesses said that the boy was shot from a distance of about 15 metres by a soldier chasing stone-throwers in the Aida refugee camp near Rachel's Tomb. The IDF spokesman stated that a soldier had aimed at an adult

stone-thrower from a distance of about 40 metres and that the boy had been injured when he crossed the line of fire. (*Ha'aretz*, 12 November; *Jerusalem Post*, 13 November)

113. On 12 November, an IDF undercover unit captured two alleged ringleaders of the Tzurif "terror" cell and another Hamas suspect at a roadblock near Nablus. Ten other Palestinians, including Palestinian security personnel who were reportedly helping the suspects, were also arrested. In a related development, the security forces uncovered another alleged Hamas group, numbering dozens of activists, in the Bethlehem area. Over 100 suspected Hamas and Islamic Jihad activists were said to have been apprehended over the previous two months in the villages of Zatra and Obedia, south-east of Bethlehem. Explosives and weapons were also said to have been found during searches there. (*Ha'aretz*, *Jerusalem Post*, 16 November)

114. On 13 November, several Palestinians were arrested by the security forces in Samaria (West Bank) on suspicion of involvement in "terrorist" activities. (*Jerusalem Post*, 14 November)

115. On 14 November, shots were fired at IDF troops patrolling near the Avraham Avinu Jewish settlement in Hebron's Jewish Quarter. The IDF spokesman stated that the troops had fired back. There were no reports of casualties. (*Jerusalem Post*, 16 November)

116. On 16 November, hundreds of Palestinians attended the funeral of the Palestinian boy who had been shot in the head by an IDF soldier during disturbances near Rachel's Tomb on 11 November and had subsequently died of his wounds on 15 November (see list). His body, wrapped in the Palestinian flag, was borne through the streets of the Aida refugee camp to the Muslim cemetery behind Rachel's Tomb in Bethlehem as the crowd chanted "Allahu akhbar" and "We will avenge our martyrs". Shortly after the boy was laid to rest, scores of Palestinian youths threw stones and bottles at IDF troops who responded with tear-gas and rubber bullets, injuring some seven Palestinians. An IDF soldier was slightly injured in the head by a stone. Further clashes were later reported near Rachel's Tomb when dozens of youths arrived there from Bethlehem. The confrontations stopped only after the demonstrators were overpowered by Palestinian police. In another development in Tzurif village near Hebron, a crowd of some 300 Palestinians protested against the arrest on 13 November of 2 wanted Hamas "terrorists" by IDF undercover troops. The Palestinians, who blamed the PA for their arrest, stoned Palestinian police in the village, then marched to the Palestinian police station in Hebron and stoned the building. (*Ha'aretz*, *Jerusalem Post*, 17 November)

117. On 17 November, rioting continued at Rachel's Tomb in Bethlehem with students from the nearby Bethlehem University throwing stones and bottles at IDF troops who responded with rubber bullets and tear-gas to disperse them. Palestinian sources reported that two students had been taken to hospital suffering from tear-gas inhalation. In another development, undercover soldiers captured a Hamas fugitive near Jenin. The man, wanted on suspicion of aiding attacks against Israelis, was taken for questioning. According to eyewitnesses, he was beaten with an iron bar before being whisked away. (*Ha'aretz*, 18 November; *Jerusalem Post*, 18 and 19 November)

118. On 18 November, Hamas threatened to carry out further attacks against Israeli targets in retaliation for the capture of the two Tzurif "gang" leaders the previous week. In another development, demonstrations calling for the release of Palestinian detainee Ataef Alian were held in Ramallah, Hebron, Nablus and Gaza. (*Jerusalem Post*, 19 November; *Ha'aretz*, 20 November)

119. On 19 November, two students from the Ateret Cohanim Yeshiva in Jerusalem's Old City were ambushed while returning to their dormitories. Struck by automatic gunfire, one student was killed instantly, while the second was seriously wounded. Prime Minister Benjamin Netanyahu described the attack as an unprecedented act of "terrorism". He noted that the assailants had used Kalashnikov automatic rifles, stressing that this was a grave escalation in the type of weaponry used by hit teams operating in Jerusalem. Mr. Netanyahu pledged to establish a new police station in the Old City and to bolster Israel's security presence there. In another incident, near Rachel's Tomb in Bethlehem, 20 Palestinians were injured by rubber bullets and dozens of others suffered from tear-gas inhalation during clashes between the security forces and Palestinian demonstrators calling for the release of Ataef Alian from administrative detention. An IDF soldier and three border policemen were slightly injured by stones, while two Palestinian policemen were slightly wounded by rubber bullets while trying to disperse the protesters. Other demonstrations for Alian's release were held in Ramallah, Hebron, Nablus and Gaza. (*Ha'aretz*, 20 and 21 November; *Jerusalem Post*, 21 November)

120. On 21 November, a Palestinian was killed in his parents' home in the West Bank village of Rafat, reportedly while preparing a bomb (see list). The IDF spokesman stated that troops who had arrived at the man's house a quarter of an hour after the explosion found shrapnel, acetone, batteries, electric wires and a device for measuring the flow of electricity – all items used for manufacturing bombs. Army radio reported that the man had been suspected of

involvement in previous bombings, but military sources could only confirm that he was a known Hamas activist. The village of Rafat is considered a Hamas stronghold and is the hometown of the slain Yihye Ayyash, who used to be known as the "Engineer". (*Jerusalem Post*, 23 November)

121. On 21 November, an Israeli settler was shot dead and another one wounded by unknown assailants in the Muslim Quarter of Jerusalem. The Israeli police believed the attack was aimed at Ateret Cohanim, the largest and most active settler movement inside the Old City. (*The Jerusalem Times*, 28 November)

122. On 22 November, a Palestinian resident of Bethlehem was shot dead by border policemen at the Gilo roadblock near Bethlehem (see list). According to the police, he was shot after he had ignored an order to stop and sped towards the roadblock in an attempt to run down a policeman. A passenger who was not injured dismissed the police version of events, stating that the man had been shot with no warning or provocation after the car had safely passed the checkpoint by 10 metres. He stated further that soldiers who had arrived on the scene started beating him as his friend lay dying next to him. Dozens of youths threw stones at IDF soldiers stationed at Rachel's Tomb to protest against the incident but were dispersed by the Palestinian police. In another incident, a yeshiva student was slightly injured when a Palestinian youth attacked him with a utility knife near the Damascus Gate in the Old City of Jerusalem. Several Arabs were detained for questioning. In another development, several hundred Hamas members and supporters demonstrated in Nablus to mark the tenth anniversary of the intifada. The day was chosen by Hamas since it was as the day when Palestinians began their resistance against the Israeli presence in the territories. Demonstrators burned United States and Israeli flags and simulated "terrorist" attacks in the courtyard of Al-Najah University where students dressed as suicide bombers staged explosions of cardboard buses. The demonstration was not reported by Palestinian radio or television, but media that follow the PA line carried harsh anti-Israeli statements by Palestinian officials as well as assessments that the peace process had died. (*Ha'aretz*, *Jerusalem Post*, 23 November; also referred to in *The Jerusalem Times*, 28 November)

123. On 26 November, several explosive devices were thrown at IDF troops in Hebron, causing no injuries or damage. In another development in Kabatiya, near Jenin, IDF troops discovered a small weapons cache containing cartridges and two grenades. In another incident, an Egged company bus travelling from Jerusalem to the Kiryat Arba settlement came under a heavy barrage of stones near El Aroub; no injuries were reported. (*Jerusalem Post*, 27 November)

124. On 27 November, border policemen carrying out a routine vehicle inspection at a roadblock near Rachel's Tomb arrested four Palestinians after finding weapons and explosive material in the car they were travelling in. Fearing that more explosives might be hidden in the car, border policemen closed off the area and bomb disposal experts blew up the vehicle. (*Ha'aretz*, *Jerusalem Post*, 28 November)

125. On 28 November, police arrested four Palestinians suspected of assaulting Jewish worshippers at the Western Wall and throwing stones at yeshivas in the Old City of Jerusalem. (*Ha'aretz*, *Jerusalem Post*, 30 November)

126. On 29 November, thousands of Palestinians in the West Bank demonstrated against Israel's offer of a limited troop withdrawal from the territories. In Bethlehem, demonstrators broke through Palestinian police lines and hurled stones at Israeli forces guarding Rachel's Tomb. They also climbed onto nearby rooftops and dropped chunks of cement on the soldiers, who responded with tear-gas, concussion grenades and rubber bullets, injuring at least 37 Palestinians, one of whom was hit in the head and was reportedly in serious condition. Two IDF soldiers were slightly injured by stones during the same incident. In another demonstration in Bethlehem, some 2,000 Palestinians took to the streets to demand the release of Palestinian prisoners, including Ataef Alian, a Palestinian woman affiliated with the Islamic Jihad who had been on a hunger strike for 40 days in protest against her detention. In Nablus, a crowd of more than 3,000 students applauded the burning of the Israeli flag and cheered wildly as a red-roofed Jewish settlement made of cardboard was carried on stage and blown up with fire-crackers. A large demonstration also took place in Ramallah and in the Palestinian-controlled areas of Hebron. (*Jerusalem Post*, 30 November)

127. On 30 November, Jewish extremists tossed incendiary material from inside the Green Line into an apartment in West Jerusalem inhabited by four female Palestinian students. It was the second attack on students in a month. No one was hurt, but the building sustained considerable damage. (*The Jerusalem Times*, 5 December)

128. On 1 December, IDF troops arrested 12 Palestinians from Abadiyah village, near Bethlehem. The IDF spokesman stated that the Palestinians were suspected of belonging to "terrorist" organizations and that they had been transferred to the GSS for questioning. Palestinian sources stated that the arrests had been made when IDF troops raided the village shortly before dawn and carried out house-to-house searches there. In another incident, an IDF soldier was slightly injured

by gunshots fired at an IDF outpost in the south of the Gaza Strip. (*Jerusalem Post*, 3 December)

129. On 3 December, security forces uncovered a weapons cache in the village of Abadiyah, south of Bethlehem. Other weapons were said to have been found in recent days in other West Bank villages. (*Ha'aretz*, 5 December)

130. On 4 December, Palestinian sources reported that eight Palestinians affiliated with the PFLP had been arrested in the Ramallah area. According to other sources, a larger number of PFLP activists had been rounded up. (*Jerusalem Post*, 7 December)

131. On 5 December, Palestinian sources reported that at least 30 Palestinians had been wounded in clashes with IDF soldiers in Rafah. The violence reportedly erupted as hundreds of Palestinians threw stones and fire-bombs at an IDF outpost, charging that soldiers had taken some of their land for another outpost. Palestinian sources claimed that soldiers had fired live ammunition at the protesters and that a three-year-old boy and an Associated Press cameraman were among the wounded. The cameraman had been shot in the hand. The IDF spokesman stated that soldiers had fired tear-gas and rubber bullets after Palestinian police failed to stop the protest. He strongly denied that soldiers had used live ammunition to disperse the demonstrators. In another development, security forces were said to have arrested several members of a Hamas cell allegedly planning to kidnap IDF soldiers and use them as bargaining chips in talks on the release of Hamas activists detained in Israel. (*Ha'aretz*, *Jerusalem Post*, 7 December)

132. On 6 December, some 500 activists of the PFLP burned an effigy of an IDF soldier and torched some Israeli and United States flags. In other incidents, a Palestinian youth was slightly injured when he was stabbed with a piece of broken glass outside the Damascus Gate in the Old City of Jerusalem. An IDF soldier was slightly injured when Palestinians threw stones at an army patrol in Beit Anoun, near Ramallah. The IDF spokesman stated that an IDF vehicle had been damaged in the incident. IDF troops fired rubber bullets and tear-gas to disperse the stone-throwers. (*Jerusalem Post*, 7 December)

133. On 8 December, some 2,000 students demonstrated at the Islamic University in Hebron to mark the tenth anniversary of the intifada. A number of them held banners calling for the release of Palestinian prisoners and a freeze on settlement construction. (*Jerusalem Post*, 9 December)

134. On 10 December, IDF soldiers caught a Palestinian who had tried to infiltrate into Israel from Jordan. The Palestinian was taken for questioning. In another incident, Jerusalem police detained for questioning a 23-year-old female Palestinian census-taker on suspicion of having visited Palestinian homes in East Jerusalem. Her arrest followed declarations by the Interior Minister, Avigdor Kahalani, that the police would prevent the PA from conducting its census in East Jerusalem. (*Ha'aretz*, 11 December)

135. On 12 December, an IDF patrol, which had entered the PA-controlled area of Deir el-Balah in the Gaza Strip by mistake, was arrested by Palestinians but released after an hour once the Palestinians were persuaded that it had entered their territory by mistake. (*Ha'aretz*, 14 December)

136. On 20 December, four Israelis were injured, one seriously and three slightly, when their car overturned after being stoned at the Tzurif-Jaba junction in the Bethlehem area. The IDF launched searches in the area. (*Ha'aretz*, 21 December)

137. On 21 December, scores of Palestinians threw stones at IDF troops and border police stationed in Hebron. Soldiers dispersed the rioters with rubber bullets and tear-gas. A Palestinian youth was reportedly injured by a rubber bullet, but no statement was issued regarding the type of injury he sustained. According to Fatah sources, the Palestinians were protesting against Israel's redeployment policy and its demand that the PA crack down on "terrorism" before any further withdrawal could take place. The spokesman for the Jewish community in Hebron stated that stones had been thrown at the Avraham Avinu quarter and warned that his men would enter the casbah area to restore law and order there. In another incident, a man was slightly injured when stones were thrown at his vehicle on the road connecting Givat Zeev to Re'ut. Settlers claimed that eight residents of Judea and Samaria (West Bank) had been injured by stones during the previous days. (*Ha'aretz*, *Jerusalem Post*, 22 December)

138. On 22 December, according to the director of the Palestinian Central Bureau of Statistics, a PA census supervisor was arrested at an IDF checkpoint near Ramallah. In another incident, shots were fired at an IDF post near the Jewish enclave in Hebron. Soldiers responded by firing in the direction of the shots; no harm or injuries were reported. This was the second incident in two days in which shots were fired at the outpost. In another incident in Nablus, a Palestinian was slightly injured by the explosion of an IDF shock grenade he had found on his land. (*Ha'aretz*, 23 December)

139. On 23 December, settlers claimed that Palestinian policemen had fired on an Israeli vehicle driven by Prime Minister Benjamin Netanyahu's former adviser on women's

affairs. IDF troops, border police and police forces launched searches in the area. In another incident, Jerusalem police arrested two Palestinians from the Shu'fat refugee camp on suspicion of preparing explosives for "terrorist" attacks. During a raid of the suspects' homes, police reportedly found four pipe bombs ready for use and another partially prepared bomb. Police stated that one of the suspects had admitted to preparing the bombs, claiming he was suspected of collaborating with the Israeli authorities and had planned to use the bombs for self-defence. The two suspects were remanded for seven days by Jerusalem Magistrate's Court. In another development, the IDF revealed that the security forces had recently uncovered three "terrorist" cells with 36 members in Judea and Samaria (West Bank). (*Ha'aretz*, *Jerusalem Post*, 24 and 26 December)

140. On 25 December 1997, three children aged 10 to 12 were injured by a land mine that exploded near the village of Beit Ola near Hebron. The Beit Ola area, located in zone B, was used by the Israeli army as a training ground for military manoeuvres. The children suffered injuries of medium severity. (*The Jerusalem Times*, 2 January 1998)

141. On 27 December, the border police arrested two Palestinians near the Maaleh Adumim settlement, one of whom was wearing an IDF uniform. Two knives were found during searches of their vehicle. Their arrest came amid increased warnings of kidnapping of soldiers by Hamas. In another incident, a border police jeep entered the Palestinian- controlled area of Hebron, triggering riots during which several dozen youths threw stones at the jeep and at IDF soldiers, who responded by firing several shots in the air. The riots were brought to an end when the protesters were dispersed by the Palestinian police. Two Palestinians were arrested by IDF troops and taken for interrogation. (*Ha'aretz*, 28 December)

142. On 29 December, masked Palestinians, some carrying weapons, staged a march in the Kalandiya refugee camp, near Ramallah, to mark the thirty-third anniversary of the Fatah movement. (*Ha'aretz*, 30 December)

143. On 30 December, the police prevented a number of Temple Mount Faithful activists from approaching the Temple Mount area. In a related incident, Palestinian youths threw stones at police shielding dozens of Temple Mount Faithful activists who were marching to the Christian Quarter, where a yeshiva student had been shot dead in November. (*Ha'aretz*, 31 December)

144. On 31 December, the Palestinian police notified IDF officers in Hebron that they had uncovered a "terrorist" cell responsible for the recent throwing of explosive devices at IDF troops stationed in the vicinity of the town's Jewish Quarter. In another incident, near Bethlehem, an Israeli taxi driver was stabbed and slightly injured by his passengers. The assailants escaped with the taxi to the Palestinian-controlled areas of Bethlehem. (*Ha'aretz*, *Jerusalem Post*, 1 January 1998)

## B. Administration of justice, including the right to a fair trial

### 1. Palestinian population

145. On 30 September 1997, a Palestinian family from Hebron, whose shops in Shuhada Street had been demolished by the IDF, appealed to the High Court of Justice to order the development work in the street to be stopped on the grounds that it was being carried out on its property and therefore constituted trespassing. It was also reported that after an attack in the vicinity of Beit Hadassah on 2 May 1980 in which six yeshiva students had been killed, the security forces had demolished the family's three one-storey buildings, which contained 15 stores. In 1987, the family appealed to the High Court of Justice against the IDF. Under a compromise agreement that was given the force of verdict, the family was recognized as the owner of the real estate and was given permission to build on the land after four years – subject to a clause under the terms of which the Office Commanding (OC) Hebron could delay the construction in case of "a significant deterioration of the security situation in the area". The family charged that the IDF had not allowed it to build ever since. Furthermore, the family claimed that it had not received any compensation and had incurred financial damage estimated at millions of dollars. (*Ha'aretz*, 1 October)

146. On 24 October, it was reported that the Israeli High Court had ruled to allow the Israeli secret police, the Shavak, to use torture in the interrogation of prisoners. The ruling was made in connection with the case of prisoner Jamal Abu Jadayel, whose attorney had strongly protested against the methods used by the secret police. (*The Jerusalem Times*, 24 October)

147. On 20 November, army radio reported that three Palestinian policemen who had been detained for four months in connection with a plot to attack settlers had been placed in administrative detention and were expected to be indicted despite their having confessed to the charges against them. (*Jerusalem Post*, 21 November)

148. On 10 December, a military court sentenced a Palestinian from a village near Ramallah to life imprisonment for killing 10 Palestinians he suspected of

collaborating with Israel. According to the prosecution, the Palestinian had shot eight of his victims and ordered others to carry out the other two attacks. (*Jerusalem Post*, 11 December)

149. On 3 December, the High Court of Justice rejected a petition by the Hai ve Kayam movement to stop the Islamic *Waqf's* "illegal" works on the Temple Mount. (*Ha'aretz*, 4 December)

150. On 9 December, the Israeli High Court rejected the appeals filed by four families to stop the demolition of their houses in the village of Azira Shamalya. The houses were inhabited by the relatives of men Israel claimed were responsible for suicide bombing attacks in West Jerusalem on 30 July and 4 September. None of the family members were accused of involvement in the bombings. (*The Jerusalem Times*, 19 December)

### 2. Israelis

151. On 1 October 1997, the Southern Command Military Court convicted three Givati soldiers of beating Palestinian detainees. They were sentenced to two months of imprisonment plus a six-month suspended jail term. According to the charge sheet, in October 1996, the soldiers had blindfolded two Palestinian detainees, tied their hands, kicked them, beaten them and forced them to sing the song of their regiment while transporting them from their military base to a detention facility at the Erez checkpoint. After the incidents, two of the soldiers had reportedly been relieved of their command duties. (*Ha'aretz*, 2 October)

152. On 1 October, on the recommendation of Justice Minister Tzahi Hanegbi, President Ezer Weizman granted amnesty to two right-wing activists convicted of throwing a hand-grenade in the Butchers' Market of the Old City of Jerusalem in 1992, causing the death of an Arab merchant and injuring eight people. In addition, the President reduced the sentences of four other Jewish prisoners convicted of injuring or murdering Arabs. One prisoner, a settler from Kiryat Arba, who had been sentenced to 15 years' imprisonment for opening fire at a speeding car in August 1990, killing a Palestinian woman, had his sentence reduced to 13 years. Another, a Maaleh Heaver settler who had been sentenced to life imprisonment, had his prison term commuted to 15 years. He had been convicted of the murder in March 1993 by UZI sub-machine-gun of a blindfolded and shackled Palestinian detainee. A third and a fourth prisoner, who had been convicted of the murder by stabbing in December 1984 of a Palestinian petrol station attendant, had their terms reduced from 22 to 15 years and from 25 to 20 years' of imprisonment, respectively. (*Ha'aretz*, 6 October)

153. On 24 October, it was reported that two Israeli soldiers who had been accused of killing Palestinian Mohamed Abu Khalil from the village of Hizameh, had been released after the Israeli army prosecutor had decided that it was sufficient to summon their commanding officer to appear before a disciplinary court in order to close the case. According to a report prepared by the Israeli army in January 1997, the soldiers had opened fire at Abu Khalil without issuing a warning and had behaved inappropriately when one of them sat on the Palestinian's chest while he bled to death. (*The Jerusalem Times*, 24 October)

154. On 26 October, a man born in the United States who was serving a life sentence for opening fire at Arab worshippers on the Temple Mount on 11 April 1982, killing two and wounding nine, was released from Ayalon prison after his sentence was reduced and he had agreed to move back to the United States. Under a deal reached earlier in the month between his lawyer and the parole board, the man, who held both Israeli and American citizenship, would have to spend the next eight years in the United States before being allowed to return to Israel. (*Ha'aretz*, *Jerusalem Post*, 27 October)

155. On 30 October, the High Court of Justice reduced the prison sentence of a man from Jerusalem who had been convicted of killing an 18-year-old Palestinian man during the intifada. The man had his prison term reduced from four to two years and was relieved of the obligation to pay NIS 70,000 in compensation to the victim's family. (*Ha'aretz*, 31 October)

156. On 7 November, it was reported that the sentence of an Israeli who had been convicted of killing a Palestinian had been commuted by the Israeli High Court. The Court ruled that Shlomo Malol was to serve a two-year instead of a four-year sentence, which made him effectively eligible for release. Malol had shot 18-year-old Raed Sha'aban in April 1993. In reconsidering the case, the High Court also absolved Malol of having to pay NIS 70,000 in compensation to the Sha'aban family. (*The Jerusalem Times*, 7 November)

157. On 16 November, the Rear Area Command issued restriction orders against three right-wing activists, banning them from entering the Temple Mount area. (*Ha'aretz*, 17 November)

158. On 27 November, Michael Ben Horin, the author of a controversial book in praise of Baruch Goldstein, who had carried out the Ibrahimi Mosque massacre, was sentenced to eight months' imprisonment by the Jerusalem Magistrate's Court. Ben Horin, who had been convicted of incitement to racism and supporting a terrorist organization, stated that he

would appeal against the verdict. Two other Israelis who had advised Ben Horin in preparing the book were sentenced to a two-month suspended sentence and fined NIS 3,000. (*Ha'aretz*, *Jerusalem Post*, 28 November)

159. On 3 December, an armoured unit officer was sentenced to 25 days' solitary confinement for his refusal to serve in the Ramallah area. (*Ha'aretz*, 12 December)

160. On 30 December, an Israeli woman, Tatiana Susskin, was convicted by the Jerusalem District Court of putting up posters in Hebron depicting the Prophet Mohammed as a pig. She was convicted of committing a racist act, supporting a terrorist organization, attempting to give religious offence, attempted vandalism and endangering life by throwing stones at Arab drivers. Her sentencing was set for 8 January 1998. The posters had triggered outrage throughout the Islamic world, including angry street protests in Bangladesh and the Islamic Republic of Iran as well as rulings by Muslim clerics that insulting the Prophet was punishable by death. (*Ha'aretz*, 31 December; *Jerusalem Post*, 31 December 1997 and 1 January 1998)

## C. Treatment of civilians

### 1. General developments

#### (a) Harassment and physical ill-treatment

161. On 4 September 1997, PA Chairman Yasser Arafat charged Israel with grounding his helicopter; thereby effectively confining him to the Gaza Strip following the triple suicide bombing attack in Jerusalem. Mr. Arafat stated that he had been informed by the Israelis that his helicopter could not leave Gaza, which prevented him from reaching Ramallah to attend a Cabinet meeting. This was the second time Mr. Arafat's helicopter had been grounded. The first time had been in September 1996, when Palestinians rioted after the opening of the Western Wall tunnel exit. (*Jerusalem Post*, 5 September)

162. On 21 September, at 11 p.m., large numbers of IDF and GSS forces surrounded and broke into the village of Azira Shamalya, north of Nablus. The army imposed a curfew on the village, where it conducted searches and arrested 31 people. Residents complained of beating and damage caused during the searches in their homes. Family members of one Palestinian fugitive claimed that hundreds of dinars had been stolen from their house during the raid. (*Ha'aretz*, 24 September)

163. On 24 September, Suha Arafat claimed that she had been humiliated by IDF troops at a roadblock outside Hebron. She stated that Israeli troops had detained her for half an hour simply because she was Palestinian. She was returning home to Gaza after accompanying her husband, PA Chairman Yasser Arafat, to Bethlehem. The IDF spokesman stated in response that the soldiers had stopped Arafat's car as part of a routine inspection and that although Mrs. Arafat did not have any identification papers, soldiers allowed her to pass through. The spokesman added that the whole incident had lasted 10 minutes. (*Jerusalem Post*, 25 September)

164. On 9 October, two Palestinians were arrested when 20 merchants tried to prevent Civil Administration officials from dismantling their stalls near Halhoul. Witnesses claimed that soldiers had arrived with a bulldozer and begun demolishing the stalls. Civil Administration spokesman Lt. Peter Lerner stated that eight stalls had been dismantled in the Hebron area on the grounds that they posed a traffic hazard, causing numerous accidents when cars stopped to purchase goods. The spokesman stressed that the Palestinians had chosen to ignore a previous order to dismantle the stalls themselves. (*Jerusalem Post*, 10 October)

165. On 20 October, it was reported that a Palestinian liaison officer at the Allenby (King Hussein) Bridge had complained to the police that he had been beaten and humiliated by border policemen at a roadblock near Abu Dis. The Judea and Samaria (West Bank) police spokesman acknowledged receipt of the complaint, reporting that it would be referred to the Justice Ministry's Police Investigation Department. At the same time, the border policemen involved in the incident also lodged a complaint against the Palestinian, who they claimed had verbally abused them and refused to identify himself or be searched. A file against the Palestinian had reportedly been opened by the Maaleh Adumim police. The incident took place on 14 October when the Palestinian officer was travelling from the Allenby Bridge (King Hussein) to his home in the village of Dura. In the Abu Dis area the taxi he was travelling in was stopped at a surprise roadblock. The policemen ordered the passengers to get out of the vehicle, opened the booth and asked them to hand over their identity cards. The Palestinian officer stated that they had obeyed the orders and that he had produced his officer's card, but the border policemen still verbally abused them. He had protested and asked the policemen to identify themselves but they had refused and ordered the Palestinians to stand with their faces against a wall and their hands raised. Subsequently, one policeman started kicking him in the leg, in the back and on the face while continuing to abuse him verbally. The complainant claimed that he had been beaten by another policeman on the

scene and that when he pointed out to the policemen that they were breaking the law and harming the peace process, his treatment only worsened and he was asked to undress for a body search. At that point, a border police officer who appeared on the scene asked the four policemen to stop mistreating him and suggested that both sides make peace. The complainant refused, announcing his intention to lodge a complaint with the police. He was taken to a nearby border police base where the officer continued his attempts to bring the parties to an agreement. The complainant persisted in his refusal. The policemen informed him that he was under arrest and took him to the Maaleh Adumim police station where they filed a complaint against him. (*Ha'aretz*, 20 October)

166. On 20 October, it was reported that the Justice Ministry's Police Investigation Department was looking into alleged border police harassment of a Palestinian resident of the Bethlehem area who had been arrested inside the Green Line and had been beaten and verbally abused during his transfer back to the territories. He had to be hospitalized as a result. (*Ha'aretz*, 20 October)

167. On 28 October, a female Palestinian journalist was harassed by IDF soldiers in Shuhada Street in Hebron. Soldiers reportedly shouted "witch" and other verbal abuse at her. The journalist stated that soldiers had encircled her for approximately half an hour, singing songs and cursing her while none of the officers on the scene intervened. The incident was said to be the third in two weeks in which journalists had suffered harassment at the hands of IDF soldiers and border policemen in Hebron. (*Ha'aretz*, 29 October)

168. On 16 December, PA Minister for Jerusalem Affairs, Faisal Husseini, stated that plans to conduct the Authority's census in East Jerusalem had been postponed indefinitely because of interference by the Israeli Government and the fear of Arab residents that they would lose their Israeli identification cards. (*Jerusalem Post*, 17 and 25 December)

169. On 25 December, the PA described its national census as a major success, with a 99.9 per cent response rate despite its claim of some 100 cases of Israeli harassment against census-takers. The Assistant Executive Director for Public Affairs of the Palestinian Central Bureau of Statistics, Dauod Deek, stated that cases of harassment included raiding the census offices in Palestinian areas, the imposition of curfews, detention of census-takers and the tearing up of questionnaires by soldiers. (*Jerusalem Post*, 25 December)

**(b) Collective punishment**

*(i) Houses or rooms that were demolished or sealed*

170. On 9 September 1997, it was reported that the Jerusalem Municipality had demolished the foundations of an "illegal" structure in the Sawana neighbourhood in Abu Tor. The demolition of the structure, which was located near the house belonging to Faisal Husseini, the PA Minister for Jerusalem Affairs, was the thirteenth demolition carried out in East Jerusalem by the Jerusalem Municipality over the past two months. (*Ha'aretz*, 9 September)

171. On 24 September, the human rights organization B'tselem accused the Israeli Government of committing "vindictive and punitive acts" against Palestinians by increasing the number of house demolitions in the West Bank and Jerusalem since the Mahaneh Yehuda suicide bombings. In a 43-page report, B'tselem stated that Israel had destroyed 29 homes in the territories following the July 30 attack in Mahaneh Yehuda, leaving 163 Palestinians homeless, including 73 children. The report noted, based on several sources, that 109 demolitions had recently taken place. The report stated that at least 10,800 Palestinians had been made homeless by some 1,800 house demolitions carried out over the last decade, ostensibly for lack of building permits. Yuval Ginbar, the author of the report, entitled "Israel's Policy of Mass Demolition of Palestinian Houses in the West Bank", stated that the increase in demolitions since August was not due to "a sudden epidemic of unlicensed building", but to the Israeli Government's decision following the violent attack in the Mahaneh Yehuda market on 30 July to step up the demolition of Palestinian houses in both the West Bank and East Jerusalem. The report observed that the demolitions had been carried out mainly in areas adjacent to settlements, bypass roads or areas that Israel intended to keep in the future. It also cited a number of construction violations committed in settlements over the years, pointing out that, contrary to the Civil Administration's claims that demolitions were purely administrative proceedings, no analogous measures had been taken against buildings in settlements, which usually received permits a posteriori. The head of B'tselem, Eitan Felner, accused the Israeli Government of trying to "freeze" the life of Palestinians in the territories. He recalled Prime Minister Benjamin Netanyahu's statement that Israel did not intend to freeze life in settlements and noted that the Government's attitude on the issue in the case of Palestinians was precisely the opposite. "Palestinians also live and bring up children who need houses", he stated. "However, Israel's policy since 1967 has systematically and intentionally prevented planning and construction for them." Commenting on the B'tselem report, Lt. Peter Lerner, spokesman for the

Civil Administration, stated that it was "riddled with inaccuracies and only coincidentally related to the truth". Furthermore, he accused the PA of encouraging "illegal" construction by issuing its own building permits for area C. (*Ha'aretz*, *Jerusalem Post*, 25 September)

172. On 29 August, the IDF destroyed 16 houses in the village of Faroush Abu Dajan in the Jordan Valley, on the grounds that they had been built without a permit. The families affected by the demolition were part of a group of refugees who had settled in the Jordan Valley during the 1950s after losing their land to Israel in 1948. (*The Jerusalem Times*, 5 September)

173. On 12 October, the IDF notified the families of the four Jerusalem suicide bombers that their homes would be demolished or sealed. The suicide bombers, from the village of Azira Shamalya, near Nablus, were identified by the security forces after DNA tests had been carried out on members of their families. (*Ha'aretz*, *Jerusalem Post*, 14 October; *Ha'aretz*, 19 October)

174. On 13 October, the Israeli authorities destroyed two nearly completed houses near the town of Beit Ummar on the main road between Bethlehem and Hebron, on the grounds that they had been built without a permit. (*The Jerusalem Times*, 17 October)

175. On 21 October, it was reported that 23 houses located in the village of Anata (West Bank) risked being demolished by the Civil Administration. The houses, in which more than 200 people lived, were said to have been built without permits outside the area included in the village's master plan. On 20 October, a protest rally against the planned demolitions was held in the village by some 200 Palestinians and Israelis. (*Ha'aretz*, 21 October)

176. On 28 October, the Civil Administration demolished three partially built homes in two villages in the Bethlehem area (two in Faradis and the third in Harmaleh). The Civil Administration spokesman, Lt. Peter Lerner, stated that the owners of the houses had ignored previous notices asking them to destroy the structures. He stressed that the structures had been "illegally" built in area C, in which Israel had full responsibility for security and civil affairs. (*Jerusalem Post*, 29 October)

177. On 13 November, the Civil Administration destroyed two "illegally built" Palestinian homes in the villages of Bani Naim and Beit Omar near Hebron. (*Jerusalem Post*, 14 November)

178. On 1 December, IDF soldiers demolished a Palestinian home in Burin village (Nablus area) and fired riot grenades and tear-gas at demonstrators gathered at the site. (*Ha'aretz*, 2 December)

179. On 2 December, Israeli bulldozers demolished a house in the district of Dahiyat Al Aqbat and another in the town of Anata, in the Jerusalem Governorate. The houses were demolished on the grounds that they had been built without building permits. (*The Jerusalem Times*, 5 December)

180. On 3 December, three houses were demolished in Sawahrah, Sharqiyeh and Izzariyeh, in the Jerusalem area. The demolition was carried out on grounds of unlicensed building. (*The Jerusalem Times*, 5 December)

181. On 15 December, backed by more than 20 cement trucks and heavy tractors, the IDF imposed a curfew on the West Bank village of Azira Shamalya, where it demolished two houses and sealed two others that were attached to other homes. The homes belonged to the families of the four suicide bombers who had carried out attacks on the Mahaneh Yehuda and Ben-Yehuda Streets in the summer of 1997. Thirty people were left homeless as a result of the demolition and sealing, which were carried out after the High Court of Justice had rejected their petitions against the measure. (*Ha'aretz*, *Jerusalem Post*, 16 December)

182. On 15 December, the IDF demolished two houses and sealed two more in the village of Azira Shamalya where relatives of suspected suicide bombers lived. The houses were among the oldest in the village, some dating back 100 years. (*The Jerusalem Times*, 19 December)

*(ii) Imposition of curfews, sealing off or closing of areas*

183. On 4 September 1997, in the immediate aftermath of the suicide bombing attack in Jerusalem, Defence Minister Itzhak Mordechai ordered the closure of the West Bank and Gaza Strip. In addition, he placed all towns in the territories under internal closure. (*Ha'aretz*, *Jerusalem Post*, 5 September)

184. On 7 September, the IDF eased the closure imposed on the territories, stating it would allow 7,000 Palestinian workers into industrial zones in the West Bank and the Gaza Strip. (*Jerusalem Post*, 8 September)

185. On 14 September, Israel lifted the internal closure of Palestinian-ruled towns and cities in the West Bank that had been imposed after the suicide bombing attack in Jerusalem on 4 September. A general closure barring Palestinians from entering Israel remained in force. (*Ha'aretz*, *Jerusalem Post*, 15 September)

186. On 16 September, IDF troops imposed a curfew around midnight on Kafr Tekoa in the West Bank and arrested 17 Palestinians as part of their operational activities against Islamic organizations. The security forces left the village after the arrests. (*Ha'aretz*, *Jerusalem Post*, 18 September)

187. On 17 September, the security authorities decided to ease further the closure of the territories by allowing 3,000 additional Palestinian merchants to enter Israel, as well as labourers working in night shifts in industrial areas and indispensable PA employees. (*Ha'aretz*, 17 September)

188. On 20 September, the IDF spokesman announced that 2,000 Palestinians from the Gaza Strip and an additional 2,000 from the West Bank would be allowed to enter Israel for work as of the next day. (*Jerusalem Post*, 21 September)

189. On 21 September, the security forces imposed curfews and raided Palestinian villages near Nablus as part of a massive campaign of arrests aimed at dismantling Hamas' infrastructure and preventing attacks. Palestinian sources stated that in one village, hundreds of Palestinians had been rounded up at the local girls' school and 20 to 30 taken into custody after questioning. They also indicated that telephone lines in the village had been cut off. At dawn on 22 September, Israeli Air Force planes circled the village looking for Palestinians trying to flee the area. In another development, the IDF ordered the bridges to Jordan to be closed to Palestinian residents from Samaria (West Bank) for fear that Hamas accomplices might try to flee through them. (*Ha'aretz*, *Jerusalem Post*, 22 September)

190. On 21 September, the Israeli army surrounded the village of Azira Shamalya in the northern West Bank, claiming that the town was the base of the suicide bombers responsible for the 30 July and 4 September bombings in West Jerusalem. (*The Jerusalem Times*, 26 September)

191. On 23 September, the IDF placed the village of Azira Shamalya (Nablus area) under curfew after four of the five suicide bombers who had blown themselves up in Jerusalem on 30 July and 4 September were identified as residents of the village. (*Ha'aretz*, *Jerusalem Post*, 24 September)

192. On 30 September, some 500 residents of Azira Shamalya went on a protest march against the closure of their village. Along the road leading to Azira Shamalya, some 200 residents of Nablus also staged a demonstration in solidarity with the villagers. (*Ha'aretz*, 1 October)

193. On 8 October, the IDF lifted the closure imposed on the village of Azira Shamalya, near Nablus, since 20 September, when security forces had identified as residents of the village four of the five suicide bombers who had taken part in two attacks in Jerusalem. (*Jerusalem Post*, 9 October)

194. On 10 October, during the Jewish fast of Yom Kippur, the IDF imposed a general closure on the West Bank and Gaza Strip. (*Jerusalem Post*, 10 October)

195. On 10 October, it was reported that the 19-day-long siege imposed by Israel on the village of Azira Shamalya had been lifted. (*The Jerusalem Times*, 10 October)

196. On 29 October, the Israeli authorities partly reopened Shuhada Street linking east with west Hebron and allowed Palestinian ambulances and municipal cars to pass. The street, which had been closed after the Hebron massacre in February 1994, remained off limits to pedestrians and other Palestinian civilians. (*The Jerusalem Times*, 31 October)

197. On 21 November, following an incident in the village of Rafat where a Hamas activist had been killed when a bomb he was allegedly preparing exploded, IDF soldiers sealed off the village and rounded up residents for questioning. (*Jerusalem Post*, 23 November)

*(iii) Other forms of collective punishment*

198. On 14 September 1997, in an early sign of the Government's satisfaction with the measures ordered by PA President Yasser Arafat and at the behest of United States Secretary of State, Madeleine Albright, Prime Minister Benjamin Netanyahu authorized the immediate transfer of half of the funds paid by Palestinians in customs fees, VAT and other taxes, which had been withheld by Israel since the 30 July suicide bombing attack in Jerusalem. An official announcement declared that the Prime Minister had made the decision as a gesture of goodwill, in view of the initial steps taken by the PA in the war against "terror". Under the 1994 Paris Agreements, Israel was to transfer the tax payments to the Authority within six days of collection. PA Chairman Arafat had recently complained to Secretary of State Albright and to the Israeli media that the closure and the freezing of the funds were bringing the Palestinians to the brink of starvation. (*Ha'aretz*, 15 and 16 September; *Jerusalem Post*, 15 September)

199. On 7 October, the representatives of donor countries once again expressed their discontent at Israel's refusal to transfer to the PA tax payments from Palestinian labour and customs duties collected on merchandise bound for the autonomous areas. They urged Israel to remit the funds, estimated at NIS 160,000. (*Ha'aretz*, 8 October)

200. On 14 October, Prime Minister Benjamin Netanyahu announced that he had instructed the Finance Ministry to transfer to the PA NIS 200 million out of the funds owed to it that had been frozen by the Government following the recent attacks. (*Ha'aretz*, 15 October)

**(c) Expulsions**

201. No information available.

**(d) Economic and social situation**

202. On 8 September 1997, an updated report by the World Bank and the United Nations Special Coordinator in the Occupied Territories was submitted to the representatives of donor countries as well as to PA Ministers and officials at their monthly meeting in Gaza. According to the findings of the report, each day of total closure cost the economy of the territories a direct income loss amounting to $1.35 million in addition to a $1.3 million loss due to the interruption of exports. A similar or even higher daily loss was caused by the decline in commercial activity. On the whole, between $4 million and $6 million was lost for each day of closure. The authors of the report underlined that the cited amount precluded losses incurred during periods of internal closure of the West Bank, which had severely disrupted the work of PA offices, which are located mainly in Ramallah. Employees living outside Ramallah were either barred from entering the town or arrived at work very late after travelling on bypass roads in order to avoid Israeli roadblocks. The functioning of hospitals and schools in the West Bank was also seriously affected by the closure. The report also referred to Israel's decision to withhold the transfer of taxes and customs duties to the PA, which accounted for some 60 per cent of its income. A senior representative of the donor countries told *Ha'aretz* that the logic of a continued transfer of funds to the Authority was increasingly called into question by the parliaments of various donor countries since in practice the funds served only to subsidize the losses caused by Israel's closure policy. He also observed that the closure affected projects sponsored by donor countries because of shortages of raw materials, a sharp increase in prices and important restrictions on the freedom of movement of the various project teams. (*Ha'aretz*, 8 September)

203. On 13 September, the Union of Palestinian Medical Relief Committees stated that the PA was running out of medicine owing to the closure. The relief association stated that 50 per cent of medical supplies in the West Bank and Gaza Strip had already been depleted and cautioned that unless the closure was lifted, the remaining supplies would be exhausted in approximately two weeks. (*Jerusalem Post*, 14 September)

204. On 24 September, it was reported that according to a survey carried out by the Centre for Palestinian Research and Studies in the West Bank and the Gaza Strip, there had been a rise in the number of Palestinians supporting suicide attacks against Israel. The finding showed that 36 per cent supported such attacks, as opposed to 21 per cent in February. (*Jerusalem Post*, 25 September)

205. On 6 October, a delegation of Jerusalem merchants met the Mayor of Jerusalem, Ehud Olmert, to discuss the municipal measures that had been taken against them because of unpaid taxes. The merchants explained the effects of the closure on markets in East Jerusalem. Olmert stated that he would give the merchants a one-month reprieve to find a solution to their tax problems. (*The Jerusalem Times*, 10 October)

206. On 7 October, the American Under-Secretary of State for Economic, Business and Agricultural Affairs told reporters in Jerusalem that while the Israeli economy had benefited extensively from the Oslo Accords, when large markets, especially in Asia, had been opened to it, the areas under PA control had grown more isolated, mainly because of repeated Israeli closures. The Under-Secretary of State indicated that the closures were ruining the territories' economy. He observed that since the signing of the Oslo Accords in 1993, the standard of living of the residents in the territories had declined dramatically: private investment had plummeted by 50 per cent between 1993 and 1996 and unemployment had increased by at least 50 per cent. (*Ha'aretz*, 8 October)

207. On 24 October, it was reported that souvenir sellers along the Via Dolorosa in the Old City of Jerusalem had accused Israel of turning tourists and potential buyers against them. Merchants indicated that Israeli tourist agencies had lately been distributing leaflets to tourists in which the Palestinian souvenir sellers were described in negative terms. The merchants were called thieves, killers and terrorists. The tourist traffic was being diverted by the guides. Tourists were being channelled through the Israeli-controlled Hashmonean tunnel to the Via Dolorosa and urged to shop at the Cardo Market in the Jewish Quarter. (*The Jerusalem Times*, 24 October)

208. On 26 December, it was reported that a number of temporary employment agencies in Israel were involved in selling false work permits to Palestinians. In a separate development, it was reported that the PA Ministry of Agriculture had indicated that farmers had sustained losses of $428,500 in 1997 as a result of attacks by settlers. The settlers had ruined crops and olive groves by burning them with poisonous chemicals. (*The Jerusalem Times*, 26 December)

209. On 29 December, the Democratic Centre for Labour Rights in Gaza reported that the Israeli authorities had recently begun withdrawing work permits from Gaza

labourers heading for Israel. The Centre stated that the workers who had lost their permits were those who had refused to work as informers for Israel's GSS, the Shin Bet. The Centre added that permits of 2,500 workers had been withdrawn in 1997. (*The Jerusalem Times*, 2 January 1998)

### (e) Situation of children

210. On 14 September 1997, two Palestinian children were kidnapped by an Israeli settler driving a truck near Bethlehem, according to a Palestinian resident of the area. The Palestinian stated that the settler, who came from Beitar, had pulled his truck over in the village of Husan, south of Bethlehem, and forced the children, aged 10 and 12, to enter the truck. He had then driven away into Israeli-controlled territory. The children's families had alerted the Palestinian police, who got in touch with the IDF. The IDF spokesman reported that he did not have any information about the incident. (*Ha'aretz*, 15 September)

211. On 1 December, a 15-year-old youth was injured in the chest during clashes between IDF soldiers and demonstrators in the village of Batta, near Nablus. The incident had occurred after soldiers fired riot grenades into a schoolyard in the village in response to stone-throwing. (*Ha'aretz*, 2 December)

212. On 26 December, it was reported that the PA had lodged a complaint with the United States over the recent release of a settler who had killed a Palestinian child a year ago. Ten-year-old Hilmi Abu Shusheh had been attacked by Avraham Korman in October 1996 near the Beitar settlement in the Bethlehem area. Korman, a guard at the settlement, had beaten the child to death by repeatedly striking his head with the butt of his gun. (*The Jerusalem Times*, 2 January 1998)

### (f) Other developments

213. On 4 September 1997, the PA Minister for Agriculture, Abed el Jawad Sallah, charged that an Israeli pesticide plant located west of Tulkarm as well as other Israeli plants on Palestinian land had damaged the residents' health, the environment and Palestinian farmland. The residents of the village of Artah, whose land was adjacent to the pesticide plant, recounted that they had been compelled to stop cultivating their land for the past three or four years because the waste discharged from the plant contaminated their land and water. According to the residents, the pesticide plant had been established in 1987. Five additional Israeli plants had been set up in the vicinity, including asbestos, fibreglass and gas-bottling plants. According to the PA Ministry of Agriculture, the location of the plants on farmland had led to a 21.5 per cent decrease in revenues ($280,000) of the agricultural sector in the area. Furthermore, 17 per cent of the land in Tulkarm had been damaged. According to the testimony of residents of Artah and Tulkarm, where several houses were located 100 metres away from the plants, a large number of residents had also suffered from heath problems, in particular from asthma and other respiratory disorders, migraines and eye irritation. (*Ha'aretz*, 4 September)

214. On 12 September, it was reported that the National and Islamic Anti-Settlement Committee had revealed details of Israeli excavations of a tunnel beneath the Old City of Hebron that were damaging Palestinian housing and heritage in the city. The tunnel would connect the settlement of Beit Romano to the Ibrahimi Mosque through the Qasabeh square and Qazazin market, and connect it with the Avraham Avinu settlement located in the central vegetable market. (*The Jerusalem Times*, 12 September)

215. On 7 October, the Israeli authorities deported to Jordan a Jordanian citizen, Ali Salam Ahmad Awad, with his wife and seven children. Awad, who was married to a Jerusalemite, had failed to obtain a family reunion permit after several legal attempts over three years. Awad was arrested and held in the Russian Compound for exceeding the legal period during which he was allowed to stay in Jerusalem. He received bad treatment in the prison. (*The Jerusalem Times*, 10 October)

216. On 21 October, hundreds of Hamas supporters attended a rally in Abu Dis to celebrate the release from prison earlier in the month of their spiritual leader, Sheikh Ahmad Yassin. Yassin addressed the rally by phone, calling for a continued "holy war" against Israel. Also speaking by telephone from Amman, Hamas political chief Khaled Mish'al called on Yasser Arafat to abandon the dialogue with Israel. (*Jerusalem Post*, 22 October)

217. On 10 November, a crowd of 4,000 Palestinians gathered at Hebron University to mark the release of Hamas leader Sheikh Ahmad Yassin. (*Jerusalem Post*, 11 November)

218. On 15 November, Palestinians in the territories, including Jerusalem, celebrated the ninth Palestinian Independence Day, marked since Yasser Arafat proclaimed the creation of a Palestinian State at the PNC conference in Algiers in 1988. Large rallies were held to mark the occasion in Ramallah, Nablus and Hebron. (*Ha'aretz*, 16 November)

219. On 8 December, on the eve of the tenth anniversary of the intifada, the Hamas leader in Gaza, Dr. Abdel-Aziz Rantisi, stated that the flame of confrontation still burned within the Palestinian people and that it was only a matter

of time before violence would explode again. Mr. Rantisi, whose organization opposed the Oslo Accords, accused the Israeli Government of continuing to mistreat the Palestinians and stated that the Palestinians would continue to defend themselves against Israeli aggression and occupation. (*Jerusalem Post*, 8 December)

220. On 8 December, the Islamic bloc won the majority of votes in student elections held at Al-Najah University in Nablus. It won 40 seats, while the Fatah wing took 35, followed by the PFLP, which won four seats, and the Students' Unity bloc, which won one. (*Jerusalem Post*, 9 December)

221. On 9 December, a conference to commemorate the tenth anniversary of the outbreak of the intifada was held at the Ambassador Hotel in Jerusalem. Some 100 participants attended the conference, which was held under the slogan "Ten years since the intifada, negotiations, the Oslo Agreement; what's next?". (*Jerusalem Post*, 10 December)

222. On 14 December, Dr. Mahmoud Zahar, a Hamas leader in Gaza, defended Hamas' past suicide attacks on Israel. Mr. Zahar stated that Hamas had begun its suicide bombing campaign in response to the Cave of the Patriarchs (Ibrahimi Mosque) massacre and the assassination of Yihye Ayyash, and added that additional suicide bombing attacks against Israeli citizens depended on the cessation of what he described as Israeli assaults on Palestinian civilians. (*Jerusalem Post*, 15 December)

223. On 31 December, celebrations were held at El-Azhar University in Gaza City to mark the thirty-third anniversary of Fatah's first "terrorist" attack against Israel on 1 January 1965. An Israeli flag was reportedly burned during the celebrations. (*Jerusalem Post*, 1 January 1998)

### 2. Measures affecting certain fundamental freedoms

#### (a) Freedom of movement

224. On 31 August 1997, two Palestinians were arrested by IDF soldiers while trying to cross from the Gaza Strip into Israel. Eighty Palestinians were said to have been caught since the beginning of the month trying to cross from the Gaza Strip into Israel without a permit. (*Ha'aretz*, 1 September)

225. On 1 September, Defence Minister Yitzhak Mordechai and Chief of General Staff Amnon Shahak lifted a series of restrictions imposed on the residents of the territories under the closure. Some 4,000 married Palestinian workers aged over 35 (2,000 from the West Bank and 2,000 from the Gaza Strip) were allowed to enter Israel. Some 2,000 merchants aged 30 and over were also allowed to enter Israel, thus raising to 4,000 the number of merchants allowed into the country. In addition, 250 teachers from the West Bank were allowed into East Jerusalem and 200 PA employees were allowed to cross to the West Bank via Israel. (*Ha'aretz*, 2 September)

226. On 23 September, an IDF spokesman announced that starting the following day an additional 4,000 Palestinian workers and 1,000 merchants would be allowed to enter Israel, while 4,000 PA employees would be permitted to travel freely within the West Bank. (*Jerusalem Post*, 24 September)

227. On 25 September, an additional 4,000 Palestinian workers, 2,000 from Gaza and 2,000 from Judea and Samaria (West Bank), were allowed to cross the Green Line, bringing to 21,000 the total number of Palestinians allowed to enter Israel. (*Jerusalem Post*, 25 September)

228. On 30 October, 150 lorry drivers from Israel who were transporting gravel and construction materials to the autonomous areas in Gaza through the Sufa crossing clashed with IDF soldiers when they gathered at the roadblock to stage a strike in protest against the difficulties faced when crossing into the autonomous areas. The director of one transport company told *Ha'aretz* that the autonomous area in the Gaza Strip needed 25,000 tons of construction material every day. However, because of the closing of the Erez checkpoint for such merchandise, it was impossible to deliver to the autonomous areas even half that amount. The IDF spokesman stated that the General Staff was acting to improve the situation at the crossing points to Gaza, but indicated that the delays at Sufa were caused by particularly meticulous checks carried out by IDF soldiers for security reasons. (*Ha'aretz*, 31 October)

229. On 6 November, it was reported that the Palestinian Liaison Committee in Gaza had decided to suspend its work with the Israeli Liaison Committee in protest against delays and rejections of entry applications and the disdainful attitude towards its members. In addition to urgent health matters, the Palestinian liaison officials send their Israeli counterparts applications for entry permits. (*Ha'aretz*, 6 November)

230. On 24 December, Suha Arafat, the wife of the President of the PA strongly attacked the Israeli Government, accusing it of placing Bethlehem under siege and preventing Christian tourists from entering the town. Mrs. Arafat's accusations were rejected out of hand by the Civil Administration. (*Ha'aretz*, 25 December)

**(b) Freedom of education**

231. On 8 October 1997, the IDF pulled its forces out of the Azira Shamalya village high school, which it had been using as its headquarters since 20 September, when security forces had identified four of the five suicide bombers who had taken part in two attacks in Jerusalem as coming from the village. (*Jerusalem Post*, 9 October)

232. On 31 October, it was reported that hundreds of students from Gaza had not been allowed to go to their universities in the West Bank, in violation of the Oslo Accords. According to the Accords, Israel should have opened a corridor linking the West Bank with the Gaza Strip in order to ensure freedom of movement for Palestinians between the two sectors. (*The Jerusalem Times*, 31 October)

233. On 3 December, the High Court of Justice issued an interim injunction granting the State 60 days to explain why it had allowed two Palestinian universities to operate in Jerusalem without a licence from the Higher Education Council. The injunction was issued in response to a petition filed by the right-wing lawyers' association, Bezedek. (*Ha'aretz*, 4 December)

**(c) Freedom of religion**

234. On 17 September 1997, the Jewish extremist group Hai ve Kayam submitted a petition to the Israeli High Court demanding a halt in the restoration works currently under way at the Marwani prayer site in the Al-Aqsa Compound, on the grounds that the activities constituted a desecration of the site, which Jews consider to be the site of the Temple Mount. (*The Jerusalem Times*, 19 September)

235. On 19 September, fearing widespread rioting by Arabs over the Jewish presence in the Ras al-Amud neighbourhood in East Jerusalem, the security authorities deployed hundreds of additional troops in and around Jerusalem, especially near the Al-Aqsa Mosque on the Temple Mount. Police sealed off streets, barring motorists from approaching the Old City, and additional roadblocks were set up in order to check the identity cards of Palestinians headed for the Al-Aqsa Mosque. (*Jerusalem Post*, 21 September)

236. On 19 September, it was reported that the Israeli Government had declared that the muezzins' calls on Saturdays at the Ibrahimi Mosque in Hebron desecrated the holiness of the Sabbath and demanded that they stop. The PA Minister for Religious Affairs, Sheikh Hassam Tahboub, condemned the Israeli decision, stating that he believed that it was a means of restricting the rights of the Muslims in the Ibrahimi Mosque and giving the settlers additional leeway to expand and take over the Mosque. (*The Jerusalem Times*, 19 September)

237. On 26 September, it was reported that the Israeli authorities had instructed Muezzin Fawzi Al-Khatib not to use a loudspeaker on Saturdays to call the Muslims to prayer at the Ibrahimi Mosque in Hebron. (*The Jerusalem Times*, 26 September)

238. On 29 September, it was reported that an internal memorandum issued by the Prime Minister's Office had warned that the PA was rapidly "taking over" Islamic institutions in the Old City of Jerusalem. The memorandum also accused Abraham Sabri, the Mufti of Jerusalem appointed by the PA of pronouncing sermons at the Al-Aqsa Mosque on Fridays inciting feeling against Israel and those who collaborated with it. It charged that the Mufti had expressed religious opinions that were political, including his call for the killing of land dealers who sold property to Israelis and the prohibiting of Arab residents of Jerusalem from taking Israeli citizenship. Finally, it noted that the *Waqf* was making renovations and planning additional ones without permission from or coordination with the Israeli authorities. (*Jerusalem Post*, 29 September)

239. On 20 October, a ceremony dedicating a symbolic cornerstone for the future Third Temple was held near the City of David. The Temple Mount Faithful group and 100 of its supporters gathered below the walls of Jerusalem's Old City, where a four-ton stone was displayed on the back of a flatbed truck. "We are here to finish what our forefathers started", the head of the Temple Mount Faithful told the crowd, adding that "there will be no peace as long as Jews can not pray on the Temple Mount". He also stated that the Arabs who were in control of the Mount were causing terrible destruction and removing traces of the two temples. Later on, the group tried to enter the Temple Mount, but were stopped by the police. The Temple Mount Faithful regularly try to ascend the Mount on holidays in order to hold prayers there and are routinely blocked by the police. In 1990, during the Jewish celebrations of Succoth, rumours spread that large numbers of Jews would try to enter the Mount, thus giving rise to Palestinian riots during which police stormed the compound, killing 17 Palestinians. (*Jerusalem Post*, 21 October)

240. On 19 November, four settlers were arrested by the Israeli police as they were scaling the walls of Jerusalem at the Lions' Gate, in an attempt to break into the Al-Aqsa Mosque Compound. The police explained that the settlers were practising climbing. (*The Jerusalem Times*, 28 November)

241. On 2 December, Palestinian *Waqf* officials in East Jerusalem rejected a proposal by the Israeli security authorities to install surveillance equipment outside the Al-Aqsa Mosque during the feast of Ramadan for fear of violence against Palestinians by Jewish extreme right- and left-wing groups. *Waqf* official Adnan Husseini maintained that if the Palestinians were to accept the proposal, police would take advantage of the situation in order to spy on Muslims rather than monitor Jewish extremists. (*Jerusalem Post*, 3 December)

242. On 14 December, it was reported that PA President Yasser Arafat had accused Israel of planning to remove the Al-Aqsa Mosque in Jerusalem. In a speech to the Islamic summit in Tehran, Mr. Arafat stated: "I am ringing the bell of danger to warn against the Jewish plan to build the Temple of Solomon in the place where today stands the Al-Aqsa Mosque." He also repeatedly deplored "the danger of invasive Judaization of Jerusalem", which, he stated, was aimed at eliminating the City's Islamic and Arab identity. (*Jerusalem Post*, 14 December)

243. On 26 December, a plot by Jewish right-wing extremists to desecrate the sanctity of the Holy Compound in Jerusalem was uncovered. Two extremists had planned to throw a pig's head into the mosque compound during one of the mass prayers held every Friday during Ramadan. The two were arrested a week before the holiday. (*The Jerusalem Times*, 2 January 1998)

244. On 30 December, security forces were placed on high alert in order to prevent possible terrorist attacks by Jewish extremists against Palestinians during the first day of Ramadan. Police strengthened their presence in East Jerusalem as Muslim worshippers flocked to the Al-Aqsa Mosque for prayers. (*Ha'aretz*, *Jerusalem Post*, 31 December)

### (d) Freedom of expression

245. On 31 August 1997, the High Court of Justice ordered the Government to explain within 10 days why it should not refrain from jamming broadcasts of Radio Palestine. The injunction came at the request of MK Avraham Poraz, who stated that the jamming of the broadcasts was illegal since it violated the Oslo Accords and other international obligations undertaken by Israel. (*Jerusalem Post*, 1 September)

246. On 18 September, a Palestinian photographer working for the French news agency in Hebron was arrested by the IDF and held in custody for more than 30 hours after he had filmed a tank at a roadblock located at the entrance to the Bethlehem bypass road. The photographer stated that he had had his ID card taken away, had been subjected to body searches as if he were a criminal and had been forced to remain near the roadblock until the evening when he was taken to the Etzion detention facility where he was detained until the following night. Commenting on the incident, the IDF stated that the photographer had been arrested for security reasons on the orders of the GSS regardless of his journalistic activity. (*Ha'aretz*, 21 September)

247. On 19 September, a Palestinian journalist was attacked in Hebron by an IDF soldier after he entered the closed wholesale market near the Avraham Avinu Jewish enclave. The soldier reportedly chased the journalist and punched him in the face. The police opened an investigation into the incident. (*Ha'aretz*, 21 September)

248. On 8 December, police confiscated documents from the office of the American Holy Land Foundation in A-Ram in northern Jerusalem. The raid came amid suspicions that the Foundation was engaged in laundering money for Hamas in the territories, a charge denied by its heads, who claimed that it dealt exclusively with welfare issues. (*Ha'aretz*, *Jerusalem Post*, 9 December)

249. On 13 December, Jerusalem police closed the Hakawati Theatre in East Jerusalem in order to prevent the holding of a festival organized by the PFLP to celebrate its thirtieth anniversary. Police reportedly surrounded the theatre and prevented Arabs from entering. (*Jerusalem Post*, 14 December)

250. On 18 December, it was reported that the Government Press Office had refused, on unspecified security grounds, to grant a journalist card to a Palestinian resident of East Jerusalem who writes for a Palestinian newspaper. It was the second time in a year that the Government Press Office had declined to issue a journalist card. The other case concerned journalists working for another newspaper who had been refused cards because of their opposition to the Oslo Accords and their alleged "security record". (*Ha'aretz*, 18 December)

## 3. Information on settlers' activities affecting the civilian population

251. On 31 August 1997, the tyres of up to 40 Palestinian-owned cars were slashed in East Jerusalem. A spokesman for the outlawed extreme right-wing Kach movement took responsibility for the action. Fourteen other Palestinian cars had reportedly had their tyres slashed in recent days, also by Kach activists. (*Ha'aretz*, 1 September)

252. On 2 September, Hebron settlers prevented the continuation of work on Shuhada Street, charging that they

constituted a "severe safety hazard". As tempers flared between Jews and Arabs, settlers threw stones at a tractor working on the site, smashing its front windscreen. According to one eyewitness, the stones were thrown from the roof of a settler house and shots were fired by a settler at the tractor. Police arrested two Palestinians in connection with the incident but released them later in the day. The Judea and Samaria (West Bank) police spokesman stated that the police were searching for the settlers who had thrown the stones. (*Jerusalem Post*, 3 September)

253. On 14 September, three settler families moved into several empty apartments (two houses), reportedly purchased by an American Jewish millionaire, Irving Moskowitz, in the East Jerusalem neighbourhood of Ras al-Amud. The action of the settlers, aimed at creating a Jewish enclave in the Arab neighbourhood, was taken several hours after an Interior Ministry appeals committee had given the go-ahead for a controversial plan to build Jewish housing in the neighbourhood. However, the project was not expected to be implemented in the near future because of the Cabinet's opposition to its location in the heart of a densely populated Arab area and given the deadlock in the Israeli-PLO talks. Dozens of Palestinians, including Faisal Husseini, the PA Minister for Jerusalem Affairs, staged a demonstration near the building occupied by the settlers. Palestinian youths threw stones and bottles and shouted slogans against the settlers. They also smashed car windows and attacked photographers and journalists. Border police and police forces dispersed the demonstrators, but riots gradually spread to other neighbourhoods of East Jerusalem. (*Ha'aretz*, *Jerusalem Post*, 15 September; also referred to in *The Jerusalem Times*, 19 September)

254. On 15 September, large numbers of police and border police forces clashed with settlers who tried to disrupt renovation work in Shuhada Street in Hebron. The Hebron settlement spokesman stated that settlers were vehemently opposed to the work "because Arabs had hundreds of other ways to move around the city and because the real intention behind the renovation of the road was to direct Palestinian traffic into Jewish houses". (*Ha'aretz*, 16 September)

255. On 16 September, the PA, escalating its rhetoric against the Netanyahu Government, raised the spectre of Arab riots unless Israel removed the three Jewish families who moved into Jerusalem's Ras al-Amud neighbourhood. The PA Local Authority Minister, Saeb Erekat, stated that the Authority would hold the Israeli Government responsible for any development that took place if the settlers were not evicted in the coming hours. Mr. Erekat and other PA officials also stated that they had ensured that calm would prevail among the Palestinians in and around Jerusalem for more than a day, but pointed out that their ability to impose restraint was limited. (*Ha'aretz*, *Jerusalem Post*, 17 September)

256. On 16 September, a 21-year-old Palestinian youth from Taibé village, located north-east of Ramallah near the Ofra settlement, was seriously injured in the eye by a stone that he claimed had been thrown at him from a bus carrying settlers. (*Ha'aretz*, 17 September)

257. On 17 September, the Jewish settlers who had taken over two houses in the Ras al-Amud quarter of East Jerusalem and Palestinians both refused the compromise whereby the settlers would evacuate the houses and be replaced by yeshiva students who would look after the buildings. (*The Jerusalem Times*, 19 September)

258. On 18 September, under a compromise agreement, the three Jewish families who had moved into a building in Ras al-Amud voluntarily left the houses they had occupied, but were to be replaced by 10 yeshiva students and an additional 10 security and maintenance men the following day. The compromise agreement, signed by Irving Moskowitz, the owner of the building, and Minister for Internal Security Avigdor Kahalani, was denounced by PA President Yasser Arafat as "nothing but a trick". The PA Information Minister, Yasser Abed Rabbo, declared that the Authority would fight the agreement "with all the means at its disposal". (*Ha'aretz*, *Jerusalem Post*, 19 September)

259. On 19 September, it was reported that the Arab tenants of the houses in Ras al-Amud had denied that they had ever received any money from the American millionaire Irving Moskowitz or from any of his representatives. (*The Jerusalem Times*, 19 September)

260. On 20 September, sporadic demonstrations against the Jewish presence in Ras al-Amud took place in and around Jerusalem, with police firing bullets and tear-gas at stone-throwing Palestinian children, slightly injuring a 13-year-old boy. Several Palestinian families living in Ras al-Amud stated that they would petition the High Court of Justice to ask that the Jews be ordered to leave on the grounds that their presence was causing a disturbance in the neighbourhood. (*Ha'aretz*, *Jerusalem Post*, 21 September)

261. On 22 September, the police arrested two settlers who tried to disrupt the renovation work in Shuhada Street in Hebron. Hebron Mayor Mustafa Natashe hailed the police action, stating that it was high time that they enforced the law on settlers, who had been delaying the work for two months. (*Ha'aretz*, 23 September)

262. On 23 September, some 200 Palestinian high school students staged a demonstration in the Ras al-Amud area,

calling for the yeshiva students who had moved into the neighbourhood to leave. The demonstrators threw stones at police and tried to block the road with overturned garbage cans until they were dispersed with tear-gas. No injuries or arrests were reported. (*Jerusalem Post*, 24 September)

263. On 20 October, it was reported that the Hebron police had opened a file against a former Kach leader, a settler from Tel Rumeideh, on charges of attacking a Palestinian resident of Hebron. The Palestinian charged that, on 15 October, he had been hit in the face by the settler as he was driving from Shuhada Street to Tel Rumeideh. The settler vehemently denied the charges against him. (*Ha'aretz*, 20 October)

264. On 29 October, the Jewish community of Hebron conducted morning prayers outside Beit Hadassah in order to protest against the partial opening of Shuhada Street to Palestinian traffic. Some 300 settlers held banners reading: "No entry to terrorists" and "Keep the enemy out". It was reported that despite the partial opening of the road, the only cars using it appeared to be those belonging to the police, the IDF and settlers. Most of the shops along the road remained closed, as they had been for more than three years, with merchants claiming that IDF soldiers were deterring customers. (*Ha'aretz*, *Jerusalem Post*, 30 October)

265. On 3 November, police caught two 16-year-old Jewish youths when they tried to set fire to an Arab-owned olive grove near the Maaleh Levonah settlement in Samaria (West Bank). The Judea and Samaria police spokesman stated that one of the youths had told the police that he wanted to set fire to the olive grove because he hated Arabs. He also admitted to belonging to an extreme right-wing movement. The spokesman stated that the police had completed the investigation and that the youths would be allowed to return to their homes, adding that charges would be filed against them. (*Jerusalem Post*, 5 November)

266. On 4 November, despite protests from settlers, the IDF announced that Palestinian buses would henceforth be allowed to travel down Shuhada Street in Hebron. Deputy Defence Minister Silvan Shalom who visited the area and met with IDF commanders, including OC Central Command Maj.-Gen. Uzi Dayan, stated that the opening of the road to Palestinian traffic seemed to be running smoothly. In addition, Mr. Shalom rejected demands by the settlers to build 300 housing units in the area, stating that while he supported construction throughout Israel, their request was unrealistic. He added that any further building in Hebron would have to be done in accordance with the community's natural size. (*Jerusalem Post*, 5 November)

267. On 26 December, the Mayor of Hebron, Mustafa Natashe, stated that the situation in Hebron was difficult and tense. Mr. Natashe accused settlers of trying to take control of the centre of the Old City where 10,000 Palestinians used to live but had gradually been forced to leave owing to settler harassment and the stationing of hundreds of soldiers in the area. Most shops and businesses were also closed. A committee to restore the Old City, set up under the auspices of the PA, had identified 122 empty apartments, shops and warehouses for renovation in the area. However, since they were located near settlers' homes, the IDF was preventing the work from being carried out for fear of clashes with settlers. In addition, Shuhada Street, which had officially been opened to Palestinian buses and garbage collection as well as other service vehicles of the municipality, was actually being used only by settlers. The security authorities insisted on conducting thorough security checks of every Arab wishing to use the road and the drivers who underwent the long checks realized that they were better off using bypass roads even if it lengthened their journey rather than wait for half an hour or more for the fastidious checks. The wholesale market, which was supposed to open under the Hebron Agreement, was also closed owing to settler opposition, which gave the impression that the agreement signed was a dead letter. Mayor Natashe spoke about another problem in the area: an underground water canal for draining rainwater and sewage along the casbah markets had been obstructed when a Jewish neighbourhood was built near the Avraham Avinu synagogue. A bypass canal dug by the Israeli authorities proved to be too narrow and could not drain all the rainwater and sewage, which resulted in the flooding of Arab houses on that side of the Old City in winter. (*Ha'aretz*, 26 December)

## D. Treatment of detainees

### (a) Measures concerning the release of detainees

268. On 5 September 1997, it was reported that administrative detainee Iman Sabi had been released a week earlier after spending 20 months in prison for being a PFLP activist. Sabi was released on condition that he not return to the West Bank for four years or engage in illegal or hostile activities. There were at least 370 Palestinian administrative detainees in Israeli prisons. Some of the prisoners had been incarcerated without charge or trial for up to four years. (*The Jerusalem Times*, 5 September)

269. On 30 September, the detention of the longest-serving Palestinian administrative detainee in Israel, Ahmad Qatamesh, was extended for an additional six months for the tenth consecutive time. (*The Jerusalem Times*, 3 October)

270. On 6 October, Israel released 11 Palestinian and 9 Jordanian detainees in return for the release of 2 Mossad agents suspected of trying to assassinate the Hamas leader in Jordan, Khaled Mish'al. None of the detainees was jailed as a Hamas or Islamic Jihad member and Israeli officials insisted that none had blood on their hands. Fifty other security detainees were to be released within two weeks, in accordance with the agreement reached with Jordan after the botched attack. (*Ha'aretz*, *Jerusalem Post*, 7 October; *Jerusalem Post*, 9 October)

271. On 27 October, the Prison Service and the IDF released 26 Palestinian prisoners as part of a deal brokered with Jordan under which Israel undertook to release some 70 prisoners in return for the release of two Mossad agents who had been captured trying to kill Khaled Mish'al, a top Hamas political officer, in Amman on 25 September. All those who were released, except two, were security detainees. (*Jerusalem Post*, 22 October; *Ha'aretz*, 28 October)

272. On 27 October, Israel released 22 Palestinian prisoners as part of a deal reached with Jordan. The deal provided for the release of Jordanian and Palestinian prisoners in exchange for the return of two Mossad agents involved in the attack on Khaled Mish'al in Amman a month earlier. (*The Jerusalem Times*, 31 October)

273. On 24 November, it was reported that the appeals of three administrative detainees against their continued detention had been accepted and that their detention was expected to be shortened, provided that the GSS did not demand that the judge's ruling be ignored, as had occurred in the past and which had contributed to the decision of detainees to boycott the appeals proceedings. (*Ha'aretz*, 24 November)

274. On 29 December, it was reported that the President of the Dotan Military Court, Lt.-Col. El Zicherman, had decided to shorten the detention period of a Palestinian man who had been detained since 30 May 1994. The Palestinian's detention had been renewed in November for the eighth consecutive time, until 24 February 1998. According to Judge Zicherman's ruling, the man was to be released on 1 February 1998, provided that the GSS did not oppose the decision and request that he be served with a new administrative detention order. Judge Zicherman is said to have ordered the release of another administrative detainee on 4 January. The detainee had been held since August 1994. His last detention order was due to expire on 17 March. (*Ha'aretz*, 29 December)

**(b) Other information concerning detainees**

275. On 3 September 1997, it was reported that the Sharon prison authority had announced its intention to prohibit family visits for 37 Palestinian detainees for one and a half months, in retaliation against the detainees' refusal to return to their cells after their daily walk on 25 August. In a letter sent from the prison, the detainees wrote that they had refused to return to their cells in order to protest against the prison authority's disregard for their claims. They charged that the day after the incident, the prison authority had announced a series of administrative punishments, including shortening the daily walk to two hours, banning exercise, closing the library, the hairdresser and the laundry and cancelling family visits until 21 October. The detainees warned that banning visits would lead to an explosion in the prison. They also charged that the prison chief was acting against regulations by imposing collective punishment without granting them the right to voice their complaints. (*Ha'aretz*, 3 September)

276. On 15 September, a 31-year-old administrative detainee, Marwan Hassan Ibrahim Maali, allegedly committed suicide in Megiddo prison. Palestinian human rights organizations and Maali's family viewed the suicide as suspicious and demanded an investigation. Maali was arrested after the Mahaneh Yehuda bombing since he was a Hamas activist. (*The Jerusalem Times*, 19 September)

277. On 16 September, a Palestinian held in administrative detention committed suicide by hanging himself in his cell in Meggido prison, according to the IDF spokesman (see list). Palestinian human rights organizations alleged that the 31-year-old detainee had been tortured. The man, a father of three, had been arrested on 4 August following the suicide bombings in Jerusalem's Mahaneh Yehuda market. He was served with an administrative detention order for two months and was not allowed to receive visits from his family. A joint statement by the Addameer Association and the Palestinian Human Rights Monitoring Group claimed that the detainee was ill and accused the Israeli authorities of negligence. (*Ha'aretz*, *Jerusalem Post*, 19 September)

278. On 16 September, a Palestinian detainee held in the GSS wing at Ashkelon Prison appealed to the Beersheba Magistrate's Court to order the prison chief to improve his conditions of detention. The detainee, a resident of the Gaza Strip suspected of "terrorist" activities, complained in his appeal that the conditions at the prison affected the detainees' rights and their dignity as human beings. He claimed, through Attorney André Rosenthal from the Centre for the Protection of the Individual, that he had been held with another detainee in a cell measuring 2 x 2.5 metres. The

window of the cell was obstructed by a dense net preventing ventilation. The detainees slept on the floor on torn mattresses and had to cover themselves with dirty blankets. In addition, there was no screen around the toilet in the cell. In that regard, Attorney Rosenthal noted that he had recently submitted a similar petition to the Beersheba Magistrate's Court on behalf of another security detainee. The judge had ordered the GSS to place a 1.5-metre-high screen in front of the toilet in the cell. However, the State Attorney had appealed to the High Court of Justice against the ruling on the grounds that its implementation would "undermine the security of the State". (*Ha'aretz*, 17 September)

279. On 19 September, the security forces disclosed the arrest of Dr. Ali Mohammed Abu Ras, the head of the Arab Institute in Abu Dis and one of the principal figures of the civilian wing of the Hamas movement. He had been arrested by the security forces two weeks earlier and placed under administrative detention for six months. (*Jerusalem Post*, 21 September)

280. On 23 September, a statement published by the human rights group Solidarity International indicated that some 250 Palestinians who had been arrested since the 30 July suicide bombings in Jerusalem were now considered administrative detainees in Megiddo prison. (*The Jerusalem Times*, 26 September)

281. On 27 September, the 800 Palestinians under administrative detention decided to end a 13-month boycott of the Israeli appeals courts in a move aimed at giving the Israeli justice system what they described as a last chance to abide by the law and not cave in to GSS dictates. Administrative detainees are incarcerated for renewable six-month periods by military order, without charge or trial. They have the right to appeal to a military court but claim that interventions by the GSS have subverted the judicial process, making the appeals a farce. Attorney Jawad Boulos stated at a news conference in Ramallah on 29 September that the IDF Judge Advocate-General had promised that the courts would be impartial and not allow the intelligence apparatus to intervene in the cases. Mr. Boulos noted that some 420 Palestinians had been placed in administrative detention after the two recent "terror" bombings in Jerusalem. (*Ha'aretz*, 28 September; *Jerusalem Post*, 30 September)

282. On 7 October, the PA official in charge of prisoners stated that there were over 3,000 Palestinian prisoners in Israeli prisons, 40 of them minors, while 60 had been arrested recently. (*The Jerusalem Times*, 10 October)

283. On 10 October, it was reported that three Palestinian policemen had been placed under administrative detention although no proof had been added to the charges that were levelled against them. The three had been arrested three months previously and taken to Ramleh Prison where they were interrogated about alleged plans to attack settlers. (*The Jerusalem Times*, 17 October)

284. On 12 October, the PA Minister for Civil Affairs, Jamal Tarifi, demanded an end to the experiments Israeli pharmaceutical companies were conducting on Palestinian and Arab prisoners, which had been sanctioned by the Israeli Ministry of Health. (*The Jerusalem Times*, 10 October)

285. On 15 October, the High Court of Justice ordered the GSS to give a defence lawyer advance notice should it plan to use force in interrogating his client, a suspected Islamic militant. A three-judge panel issued the unusual ruling in response to a petition by a Hamas activist who had been under administrative detention for two and a half months on suspicion of involvement in "terrorist" activities. Attorney André Rosenthal claimed that his client had been shaken by his interrogators, who had also made him sit on a small chair with his hands tied behind the back of the chair, his legs shackled, a sack on his head and loud music playing incessantly. Furthermore, the interrogators squeezed his throat, forced him to lean backwards until his back was parallel to the floor, punched him in the back and hung him by his handcuffs from a crossbar over the door. They also threatened to arrest his brothers and torture them until he could hear their cries, as well as to arrest his wife and demolish his home. Finally, Attorney Rosenthal claimed that the GSS had twice barred him from visiting the detainee, on the grounds that he had another lawyer, and had continued to torture him. (*Ha'aretz*, 17 October; *Jerusalem Post*, 19 October)

286. On 21 October, security forces reportedly arrested a female activist of the Islamic Jihad who had been pardoned by President Ezer Weizman and released together with 19 other female prisoners after the IDF redeployment in Hebron in January. According to reports, the woman had been arrested while on her way from Bethlehem to Bir Zeit University for a commemoration ceremony marking the second anniversary of the assassination in Malta of Islamic Jihad leader Fathi Shkaki. MK Abdel Dahamshe (Arab Democratic Front), who reported the arrest, protested to Defence Minister Yitzhak Mordechai, stating that it was inconceivable that a woman freed as part of a political deal should be re-arrested. The security forces refused to comment on the arrest. (*Jerusalem Post*, 22 October)

287. On 24 October, it was reported that the Israeli secret police, the Shavak, had used torture during its interrogation of prisoner Jamal Abu Jadayel, who had been imprisoned

two months earlier. The Shavak has also harassed Abu Jadayel's close relatives in his presence in order to force him to talk. (*The Jerusalem Times*, 24 October)

288. On 7 November, it was reported that a female Palestinian prisoner, Ataef Alian, had been on hunger strike for 12 days in protest against her status as a detainee. Alian had been released in February and re-arrested on 21 October without charges. (*The Jerusalem Times*, 7 November)

289. On 8 November, detained Islamic Jihad activist Ataef Alian stepped up her hunger strike by refusing to take water. The Neveh Tirza prison authorities warned that they would administer liquids to her forcibly if she continued to refuse. Alian had been arrested by IDF troops in October and had been detained ever since. Left-wing and human rights activists had persistently demanded that the security forces either release her or press charges against her. (*Jerusalem Post*, 9 November)

290. On 10 November, the Islamic Jihad movement threatened to carry out attacks unless Israel released Palestinian security prisoners, including Islamic Jihad activist Ataef Alian, who had been on hunger strike for three weeks at the Neveh Tirza prison. She was protesting against her incarceration without trial under an administrative detention order. Alian is said to have served 10 years in prison for planning to blow up a government building in East Jerusalem in the 1980s and for attacking a prison guard. She had been pardoned by President Ezer Weizman and released with 19 other female prisoners following the Hebron redeployment. On 21 October, however, she had been arrested again while on her way from Bethlehem to Bir Zeit University to attend a ceremony marking the second anniversary of the assassination in Malta of Islamic Jihad leader Fathi Shkaki. Security forces refused to comment on the case. (*Ha'aretz*, *Jerusalem Post*, 11 November; *Jerusalem Post*, 1 December)

291. On 23 November, prisoners and administrative detainees in Israel staged a hunger strike to express their solidarity with administrative detainee Ataef Alian. (*Ha'aretz*, 23 November)

292. On 27 November, 108 out of 115 detainees in Damon prison ended a hunger strike they had begun on 19 November in protest against the prison authorities, who they claimed did not respect their rights, and against their detention conditions, which were harsher than required under the regulations concerning untried detainees. The detainees' allegations were rejected by the Prison Service. (*Ha'aretz*, 23 November, 28 November)

293. On 27 November, the Beit El Military Court heard appeals by two administrative detainees: Ahmed Katamash, who had had his administrative detention extended nine times, and Mohammed Rajoub, who had been in and out of prison for several years. During the open-door hearing, which was attended by two Swedish observers from the International Lawyers' Association, Attorney Leah Tsemel tried to question the GSS representative about the alleged evidence on the basis of which the detention had been extended, but was told that it was classified. After the questioning time, the lawyers and the appellants were ordered to leave the court while the Judge remained there with the GSS representative in order to examine the classified information. The ruling was expected the following week. (*Ha'aretz*, 28 November)

294. On 28 November, detainee Ataef Alian ended her 40-day hunger strike after receiving assurances that her three-month detention would not be extended once completed in January 1998. (*The Jerusalem Times*, 5 December)

295. On 30 November, Palestinian administrative detainee Ataef Alian ended her 41-day hunger strike after receiving assurances from the PA that Israel would review her case for release from prison. Meanwhile, the Secretary-General of the League of Arab States urged the international community to take urgent action for the release of Alian. "The Secretary-General strongly condemns the inhuman detention conditions of Alian", said the communiqué. (*Ha'aretz*, *Jerusalem Post*, 1 December)

296. On 7 December, it was reported that a 40-year-old Palestinian detainee had been killed in a Gaza jail by a convicted murderer who suspected him of collaboration with the GSS (see list). (*Jerusalem Post*, 7 December)

297. On 10 December, a 31-year-old Palestinian administrative detainee from Hebron appealed to the High Court of Justice to ban GSS interrogators from tying him to a low chair with his arms shackled behind his back, on the grounds that this could cause irreversible damage to his spinal cord. The detainee was said to have been under detention for four months. (*Ha'aretz*, 12 December)

298. On 13 December, the semi-official Palestinian press agency Wafa published a report by a coroner concluding that torture, and not suicide, had led to the death of detainee Marwan Hassan Maali in an Israeli jail last September. An official of the A-Dameer Prisoners' Support Centre, Khalida Jarrar, commented that the report was insufficient as forensic evidence that Maali had been tortured to death. Jarrar explained that the report was based on observations of the body, from which the organization could not conclude that

Maali's death had resulted from torture. (*The Jerusalem Times*, 19 December)

299. On 18 December, it was reported that a military judge had rejected an appeal by the longest-standing Palestinian administrative detainee against his continued detention. The detainee, Ahmad Qatamesh, a member of the PFLP, had been arrested in Ramallah on 1 September 1992. Following some 100 days of interrogation, he had been charged with holding a counterfeit identity card and the documents of an outlawed organization. A military court and an appeals court agreed to release him on bail in October 1993. However, a six-month administrative detention order was immediately issued against him and had since been renewed nine times. (*Ha'aretz*, 18 December)

300. On 22 December, it was reported that the implementation of a ruling by a military judge that an administrative detainee undergo a medical test was still pending one month after being issued. The detainee, from the Jenin area, had reportedly been detained since 6 April 1995. On 18 November, he had appealed against his continued detention. The judge ruled that he should pass a hearing and psychiatric test on the basis of which he would reach a decision concerning the appeal. The Prison Service spokeswoman stated that the hearing test had been postponed because of a physicians' strike and that the psychiatric test would be carried out shortly. (*Ha'aretz*, 22 December)

301. On 29 December, it was reported that for the first time since 1994 a Palestinian from the Gaza Strip had been placed under administrative detention in a prison in Israel. The man, from the Maghazi refugee camp, had been arrested by the GSS some two months earlier at the Rafah border crossing while travelling abroad and had been taken to Damon prison. The IDF spokesman reported that the man had been detained on charges of being a senior Hamas activist. (*Ha'aretz*, 29 December)

302. On 30 December, the GSS confirmed that it was subjecting a Hamas activist to sleep deprivation, covering his head with a sack and playing loud music. It also confirmed that, during his interrogation, the detainee had been seated with his hands shackled behind his back to prevent him from attacking his interrogators, as had allegedly happened in the past. The GSS claimed that the intensive interrogation of the activist, who had been arrested at the beginning of December and had not been allowed to talk with a lawyer since, was aimed at thwarting fatal attacks. The GSS provided the information during deliberations in the High Court of Justice on an appeal filed against the torture of the detainee by the Public Committee Against Torture in Israel. (*Ha'aretz*, 1 January 1998)

## E. Annexation and settlement

303. On 1 September 1997, IDF soldiers and police forces ordered scores of Palestinians to leave the Yugoslav Experimental Farm in the Jordan Valley and arrested 10 Palestinians who had disobeyed. The farm is said to have been the scene of several clashes in the past, the most recent dating back six months. Palestinians maintained that the Oslo Accords stipulated that all experimental farms in the territories had to be handed over to them. Israel, however, stated that the disputed area had ceased to be an experimental farm in 1988 when it was turned over to the World Zionist Organization's settlement division and became part of Moshav Masua in 1994. (*Jerusalem Post*, 2 September)

304. On 5 September, it was reported that Israeli bulldozers had begun levelling land in the Jabal Al-Mukhaber area to make room for a multi-million-dollar hotel project. The hotel was to be built on 15 dunums of land seized from the residents of the Al-Mukhaber quarter in the southern part of Jerusalem. In a parallel development, the Al-Ghuzlan family from Jabal Al-Mukhaber submitted a petition to the Israeli High Court in order to halt the construction of a $1.3 million police station envisaged to be built on the family property. Like the hotel, the police station was to be built on a site that overlooked the Haram al-Sharif Compound and dominated the City. In a separate development, it was reported that the Israeli authorities had levelled over 500 dunums of land near the village of Khiljan, in the Jenin area, in order to expand Israeli stone-cutting operations in the northern West Bank. The Director-General of the Jenin branch of the PA Ministry of Local Government stated that the move was part of preliminary steps aimed at seizing more than 70,000 dunums of land belonging to the villages of Khiljan, Um Dar and Tourah, and eventually forcing the villagers out. The area surrounding Khiljan was considered one of the richest sources of marble in Palestine. The Director-General added that the Israeli company running the quarry avoided the use of filters and made no effort to take precautions to protect the villagers and the environment from pollution. The harvest of the olive groves in the area had not been possible for the past two years because of the dust generated by the Um Rihan quarry. (*The Jerusalem Times*, 5 September)

305. On 10 September, it was reported that since the beginning of the year 1,560 housing units had been purchased in the West Bank by individuals who had been granted special benefits by the Ministry of Housing and Construction, which represented a 56 per cent increase over the same period the previous year. The trend could accelerate, since most settlements in the West Bank had been

designated national priority areas A and B since January 1997. This meant that buyers of apartments were entitled to extensive financial benefits, including loans amounting to NIS 60,000 and more, half of which was granted as a bonus, subsidized development costs and other advantages in various fields such as education. (*Ha'aretz*, 10 September)

306. On 17 September, the High Court of Justice ruled that the El'ad settler group was the owner of a house in the City of David in Silwan village, thereby rejecting an appeal filed by an Arab family against a Jerusalem Magistrate's Court decision. The disputed house had reportedly been seized by settlers in 1991, together with another building. In the legal battle that ensued, the settlers had claimed that the house was absentee property that had been sold to them legally, while the Arab family maintained that their father had sold the house to his daughter before it was declared absentee property. In their ruling, the justices stated that they did not see fit to interfere with the findings of the judges of the district court, which were based mainly on the trustworthiness of the witnesses. Nevertheless, the Court decided not to ask the petitioners to pay the costs of the legal action. (*Ha'aretz*, 18 September)

307. On 19 September, Jerusalem Mayor Ehud Olmert expressed his conviction that a Jewish enclave would eventually be created in the Arab neighbourhood of Ras al-Amud in East Jerusalem. "It is an irreversible process", Mr. Olmert told army radio following the eviction of three settler families from a building in the neighbourhood and their replacement by 10 yeshiva students and 10 security and maintenance men. (*Jerusalem Post*, 19 and 21 September)

308. On 24 September, while attending ceremonies marking the thirtieth anniversary of the re-establishment of settlements in Gush Etzion, Prime Minister Benjamin Netanyahu assured settlers that his Government would continue to bolster their settlements. Mr. Netanyahu, who also met with high school students in the Efrat settlement, declared: "We are building in Judea and Samaria (West Bank), and are building in Efrat." He noted the Housing Ministry plan to build an additional 300 housing units in Efrat (where 400 housing units were already under construction). Mr. Netanyahu noted to his audience in Efrat that they did not need binoculars to see the construction going on in Gush Etzion and other places. "Israel was being built and would continue to be built and this is a good thing", he declared. He continued that the great expectations among Arabs in general, and Palestinians in particular, from his Government were the current problem. He noted, however, that the past year had seen a process of lowering of expectations, possibly also on the Israeli side. "It is possible to achieve peace", he argued, "however, it would not be a warm peace, but one amounting to a compromise on our existence, the kind of peace we have with Egypt – cold peace, which is, however, far better than war." Palestinian officials condemned the housing project in Efrat, describing it as "another fresh nail in the coffin of Israeli-PLO talks". PA Cabinet Minister Hanan Ashrawi called it "a dangerously irresponsible position, bordering on a policy of insanity that is going to turn the whole region into another cycle of conflict and violence". The Israeli Cabinet Secretary, Dan Naveh, however, dismissed Palestinian criticism as "exaggerated" and a "storm in a teacup". In another Israeli reaction, Government Press Office Director Moshe Fogel noted that the plans had been approved by the Labour Government and fell within the current governmental policy of strengthening existing settlements. The head of the Labour Party, MK Ehud Barak, stated that it was not the right time to build, but observed that the Government retained the right to do so. Some 7,000 housing units were reportedly currently under construction in settlements in the West Bank, mostly in the Great Jerusalem area. Among the units under construction, 1,400 were in Beitar, some 1,000 in Maaleh Adumim, 2,000 in Kiryat Hasefer and 730 in Adam. (*Ha'aretz*, 26 September; *Jerusalem Post*, 25 and 26 September)

309. On 24 September, Israel announced the expansion of the Efrat settlement by an additional 300 housing units, to be built on property belonging to the village of Al-Khader. Efrat is part of a series of settlements south of Bethlehem known as the Gush Etzion bloc. (*The Jerusalem Times*, 3 October)

310. On 26 September, it was reported that Israeli bulldozers had begun digging three trenches around the town of Beit Sahur, south of Jerusalem. Palestinians speculated that the 50-metre-long and 4-metre-deep trenches could be part of a master plan to build a network of roads in order to link up 18 settlements in the Bethlehem area. The town of Beit Sahur was the site of a clandestine bomb factory run by the Islamic resistance movement, Hamas, that had been discovered by the Palestinian police in July. The Israeli authorities reportedly also began digging 2-metre-deep trenches, on the southern outskirts of Jerusalem, near the village of Nu'man. In a separate development, it was reported that the Jerusalem Municipality had granted a building licence to American Jewish millionaire Irving Moskowitz, allowing him to start the construction of a new settlement in the heart of the Ras al-Amud neighbourhood, where 11,000 Arabs live. (*The Jerusalem Times*, 26 September)

311. On 29 September, Israeli bulldozers destroyed three bedouin encampments on the eastern outskirts of Jerusalem.

The encampments belonged to the Jahalin tribe and were situated in the Wadi Abu Hindi, between the settlements of Kedar and Maaleh Adumim. (*The Jerusalem Times*, 3 October)

312. On 30 September, it was reported that 1996 had seen an almost 8.5 per cent increase in the number of Israelis residing in the territories, bringing their number to 150,000 and amounting to 2.6 per cent of Israel's citizens. Thirty-eight per cent of the increase was ascribed to natural growth; the rest was emigration from within the Green Line. (*Ha'aretz*, 30 September)

313. On 3 October, it was reported that Israeli bulldozers had begun levelling land east of the Ma'on and Carmiel settlements, in the Hebron area. (*The Jerusalem Times*, 3 October)

314. On 5 October, the Civil Administration expelled 16 bedouin families belonging to the Jahalin tribe from their place of residence near the Kedar settlement on grounds of "eviction from fire practice areas". The residents claimed that they had been living in the area for decades and denied that it served as an IDF fire practice area. Water pipes were also removed from the site as the families and their possessions were evicted. According to the residents, eight pipes were perforated and their water spilled, a charge denied by the Civil Administration. The area near Kedar where the bedouin resided was reportedly declared a closed area by a decree dating back to 1977. According to the families' lawyer, the action of the Civil Administration was illegal since the bedouin had lived in the area before it was declared a closed area. An appeal by the lawyer to the High Court of Justice to issue an interim order in a bid to prevent the eviction had reportedly been rejected. In reacting to the charges, Civil Administration spokesman Lt. Peter Lerner stated that the eviction from an IDF fire practice area was legal and necessary for safety reasons. He also stated that the bedouin families had invaded the place a short time before and had to return where they came from. (*Ha'aretz*, 6 October)

315. On 8 October, the Civil Administration and the IDF pledged that the bedouin families, consisting of some 170 persons, who had recently been expelled from their place of residence near the Kedar settlement would be allowed to return to the site within two days and that their possessions would be returned to them. The decision was reportedly made after the bedouins' lawyers had agreed to withdraw an appeal filed with the High Court of Justice on behalf of the families on the grounds that their eviction was illegal. (*Ha'aretz*, 9 October)

316. On 8 October, the Finance Committee authorized the allocation of NIS 3.4 million from the aid budget for Ethiopian immigrants for construction in the territories. In addition, it approved a request by the Finance Ministry to allocate NIS 3.6 million from rural construction in kibbutzim and moshavim (cooperative settlements in Israel consisting of a number of small farms) for the protection of settlers in East Jerusalem. (*Ha'aretz*, 10 October)

317. On 9 October, Palestinian merchants in East Jerusalem responded to a call by the nationalistic forces in Jerusalem and staged a strike calling for the eviction of settlers from Ras al-Amud and against the "policy of Judaizing Jerusalem". (*Ha'aretz*, 10 October)

318. On 10 October, it was reported that Israel had revoked its decision to evacuate the Jahalin bedouin tribe in accordance with an appeal presented by Advocate Shlomo Leker to the Prosecutor-General of the Israeli High Court. Thirty-seven families were to return to their original West Bank location in Wadi Abu Hundi and Al Mintar. (*The Jerusalem Times*, 10 October)

319. On 12 October, it was reported that, according to the figures of the PA Ministry of Agriculture, the Civil Administration had intensified the uprooting of trees and saplings in the West Bank. Several thousand olive trees and seedlings were reported to have been uprooted since May in villages located near the Green Line, in settlements or near new bypass roads servicing settlements. According to the estimates of the Palestinian Ministry of Agriculture, Palestinian farmers had suffered damage amounting to several million NIS as a result. The Civil Administration reported that the uprootings had been carried out in cases of "invasion of state-owned land", in fire practice areas following the issuing of eviction orders and as part of land confiscation for public or military purposes. The Civil Administration also reported that the trees had been destroyed, but indicated that those persons who had carried out the uprooting themselves after being served with eviction orders were authorized to keep the trees and plant them elsewhere. (*Ha'aretz*, 12 October)

320. On 23 October, the Mayor of Maaleh Adumim, Beni Kashriel, reported that 1,470 apartments out of the 1,600 put on sale in area .06 in the Maaleh Adumim settlement had already been sold. More than 650 had been inhabited for four months. Mr. Kashriel also stated that the marketing and construction of additional 400 apartments in area .06 would begin during the coming weeks. Once area .06 was fully inhabited, the population of Maaleh Adumim would be approximately 23,000. The planning of the construction of 3,000 additional apartments in area .07 in the settlement was

expected to begin within a few months. The 1-E plan to link Jerusalem to Maaleh Adumim was still under examination and the hearing of numerous Palestinian objections against it had not yet been concluded. Mr. Kashriel stated that he was surprised to see that despite the promise made by the Defence Minister, Yitzhak Mordechai, the bedouin had still not been evicted from Maaleh Adumim land for which there was a master plan. According to Mr. Kashriel, the bedouin who lived in the territory of the planned city constituted "a security hazard and a proven criminal threat". (*Ha'aretz*, 24 October)

321. On 24 October, according to a Palestinian security official, it was reported that the Ateret Cohanim settler society had been using counterfeit seals to provide proof of purchase of Arab property in East Jerusalem. The counterfeit seals had been provided by a Palestinian from Jerusalem. They were copies of official seals used by the Jordanian Government to stamp documents that allowed Palestinian property in Jerusalem and the West Bank registered in the Jordanian Land Registry to be sold. (*The Jerusalem Times*, 24 October)

322. On 27 October, members of the Council of Jewish Communities in Judea, Samaria (West Bank) and Gaza and members of the Land of Israel front in the Knesset caucus announced that they would establish a new settlement in western Gush Etzion. The Council spokeswoman stated that the establishment of the settlement had already been approved by the Government in 1970, adding that a name had already been chosen, but that the location would be kept secret until the Government's stand on settlements had been clarified. (*Jerusalem Post*, 28 October)

323. On 28 October, the Peace Now movement published figures from the 1998 budget proposal, which it claimed pointed to an expected increase in government funding of settlements over 1997. According to Peace Now, NIS 101 million from the 1998 budget was to be earmarked for the construction of bypass roads in settlements, including the trans-Samaria road, whose construction had begun in 1997; the Modi'in-Givat Zeev road, begun in 1996; and the Atartot-Beit Horon, Jericho-Meholah and Maaleh Adumim-Mishor Adumim roads, whose construction had also begun in 1996. (*Ha'aretz*, 29 October)

324. On 31 October, it was reported that a blueprint was being developed for a major renovation of the Jewish Quarter of Jerusalem's Old City that included plans to reopen a sealed gate in the Old City wall and to build a two-storey underground complex with an apartment hotel, a commercial centre and educational institutions. The plan, initiated by Deputy Housing Minister Meir Porush, was reportedly designed to increase the Jewish Quarter's population of 2,400 by 25 per cent. A spokeswoman for the Mayor of Jerusalem stated that the City had no comment on the plan as it had not yet been finalized or submitted for approval. (*Jerusalem Post*, 31 October)

325. On 1 November, scores of Palestinians tore down part of the security fence surrounding the Ofra settlement, claiming that part of their land had been confiscated. According to reports from the scene, a group of some 200 Palestinians holding banners reading "No peace to settlements" and "Stop the land thieves", marched towards the settlement but were forcibly dispersed by IDF troops. (*Jerusalem Post*, 2 November)

326. On 4 November, it was reported that the Housing Ministry was already planning to start selling land for construction in the Har Homa settlement in 1998. According to the Ministry's 1998-1999 plan, land for the construction of 1,000 housing units in the settlement would be sold in 1998; 300 additional housing units were scheduled to be placed on the market in 1999. On the whole, the Har Homa project envisaged the construction of 6,500 units, with the first development already being completed. The Housing Ministry also planned to sell land in the Givat Zeev settlement to allow for the construction of 1,320 housing units there. Other projects envisaged the construction of 7,135 housing units beyond the Green Line over the next two years (4,420 of them in 1998), including 1,000 units in Alfei Menasheh, 500 in Ariel, 400 in Ofarim, 300 in Karnei Shomron, 1,000 in Beitar, 400 in Givat Binyamin and 820 in Maaleh Adumim. (*Ha'aretz*, 4 November)

327. On 6 November, concerned over a possible time-out on settlement construction in Judea, Samaria (West Bank) and Gaza, settlers announced the construction of 300 housing units in the Alfei Menasheh settlement. In addition, the Housing Ministry published a tender for the construction of an additional 72 government-funded housing units in the settlement. The local council head stated that the construction, which had received governmental approval three weeks earlier, had been frozen under the former Government. (*Jerusalem Post*, 7 November; *Ha'aretz*, 9 November)

328. On 7 November, it was reported that bulldozers from the Rahel settlement had begun to level agricultural land owned by the villages of Qaryut and Jalout, in the Nablus area. Villagers said that 20 caravans had been installed. Rahel had been established on land taken from Qaryut and Jalout. (*The Jerusalem Times*, 7 November)

329. On 12 November, it was reported that four Palestinian residents of Al Bireh had petitioned the Jerusalem

Magistrate's Court to order the immediate removal of 20 mobile homes that had been placed on their land in 1991, outside the fence of the Psagot settlement. According to the charge sheet, 18 of the mobile homes were inhabited. In a related development, a Palestinian family from Kaddum (West Bank) charged that settlers from Kdumin had placed six mobile homes on their land. MK Dedi Zucker stated that he had filed a complaint about settler takeover of private land belonging to Kaddum as early as May. He had been told that the issue was under thorough examination and that should it be proved that the land belonged to the complainants, the military authorities would assist in evacuating the trespassers. In a letter to Defence Minister Yitzhak Mordechai, Mr. Zucker wrote that, in practice, the security authorities had been slow in acting on the complaint and seemed to have turned a blind eye, which had been construed by the settlers as a green light to continue with their ploy. "The fact is that while you are examining the issue, six mobile homes are stationed at the site. The dirt road leading to the land is blocked by settlers and the family that owns the land cannot gain access to it", Mr. Zucker charged, adding that 500 metres of the road had recently been paved by settlers without any permit. (*Ha'aretz*, 12 November)

330. On 13 November, police evicted several bedouin families from an encampment near the Maaleh Adumim settlement on the grounds that they were squatting on "state-owned land". Police were said to have moved the belongings of six families from about 20 tin shacks and subsequently destroyed the structures. Civil Administration spokesman Lt. Peter Lerner stated that the families had been evicted legally after they had ignored repeated notices to leave. Israel had evicted groups of bedouin from the site since the Jahalin lost a legal battle against their eviction in the High Court of Justice. Human rights groups charged that the new site allocated to the Jahalin tribe was located some 500 metres from a rubbish dump and constituted a health hazard. (*Ha'aretz*, *Jerusalem Post*, 14 November)

331. On 14 November, it was reported that a new road was being built for a new neighbourhood of 350 housing units in the Maaleh Adumim settlement. The Housing Ministry confirmed that a new road was being built, but denied that there were any immediate plans to build a new neighbourhood. "It is only a road", said the Housing Ministry spokesman, adding that it was meant to connect Jerusalem and the settlement more efficiently. (*Jerusalem Post*, 14 November)

332. On 18 November, it was reported that the Defence Ministry had approved the expansion of the Jewish enclave in the Old City of Hebron. Palestinians in Hebron warned of new riots to protest against the decision, which allowed settlers to implement a 1,000-square-metre construction project near the Avraham Avinu compound. A member of the regional Fatah Higher Committee stated that Palestinians were preoccupied by the planned construction, which, he claimed, constituted yet another step in the Judaization of the Old City of Hebron. (*Ha'aretz*, 18 November)

333. On 20 November, the IDF uprooted more than 1,000 olive trees and levelled 120 dunums of land belonging to the village of Nazlet Zeid, in the Jenin governorate. Israel claimed that the 120 dunums of land, which had been levelled for the construction of prospective bypass roads intended to link the settlements in the area, were government land. The landowners produced title deeds proving their ownership. (*The Jerusalem Times*, 28 November)

334. On 23 November, the administration and students of the Ateret Cohanim Yeshiva in the Old City of Jerusalem moved to strengthen their presence in the Old City, in a direct response to a "terrorist" attack a week earlier in which one of its students had been shot dead and another seriously wounded. A building near the Lions' Gate owned by the yeshiva was cleaned up by students in anticipation of Jewish families moving in and the police had had to use force in order to keep 20 Arabs from trying to force their way in. The incident followed a promise made by the head of Ateret Cohanim in the presence of Prime Minister Benjamin Netanyahu that houses owned by the yeshiva would be renovated for new tenants within a year. (*Jerusalem Post*, 24 November)

335. On 26 and 28 November, it was reported that a new settlement of 100 homes in the occupied territories was currently being populated. The new settlement, called Kfar Oranim, was located beyond the Green Line south of Modi'in. The majority of residents due to move in the coming months were from Tel Aviv, Bat Yam and Jerusalem. Defence Ministry sources stated that the construction of the settlement had been approved by the Rabin Government as part of a plan to buffer the Green Line. Another new settlement currently under construction in the territories was the orthodox town of Kiryat Sefer. (*Ha'aretz*, 26 November; *Jerusalem Post*, 28 November)

336. On 27 November, the Peace Now group, which monitors government settlement activities, revealed that the Government was planning to establish five new industrial zones on thousands of dunums of land in the West Bank, in a move designed to create facts on the ground and establish buffer zones in area B. The aim was to block any chance of further redeployment of Israeli forces, as agreed with the Palestinians. According to Peace Now, the designated areas were:

(a) Kiryat Arba: about 5 kilometres north of the settlement and 1 kilometre south of the village of Shiuh;

(b) Tel Miryam: 800 metres west of the village of Mahmas and 1.5 kilometres east of the village of Jaba, near the Ramallah bypass road;

(c) Kochin: west of Nablus, on the bypass road;

(d) Alon Moreh: some 3.5 kilometres south of Nablus, near the village of Salem and the road to the Alon Moreh settlement;

(e) Harmesh: some 2 kilometres east of the Harmesh settlement and to the south of the village of Yabed in the Jenin area. (*Ha'aretz*, 28 November)

337. On 27 November, Peace Now Secretary-General Musi Ras charged that the creation of the industrial zones was no different from the establishment of five new settlements in the heart of areas populated by Palestinians. The head of the Council of Jewish Communities in Judea, Samaria (West Bank) and Gaza, Aharon Domb, dismissed Mr. Ras' claim out of hand, stating that the industrial zones had been approved by the previous Government and were all on state-owned land. (*Ha'aretz*, 28 November)

338. On 28 November, it was reported that a house belonging to the Tirhi family in the Old City of Jerusalem had been seized earlier in the week and turned into a police station. The Tirhi house had first been confiscated for a year in 1969 and had never been returned to its owners. Squatters from the Ateret Cohanim movement had seized the house in 1991. In 1994, the Israeli High Court ordered the house to be returned to the Tirhi family by the end of 1997. Eighteen Palestinian houses in the Old City had been seized on pretexts of security and had never been given back to their owners. (*The Jerusalem Times*, 28 November)

339. On 28 November, it was reported that five settler families had moved into the Kfar Oranim settlement in the West Bank, located 20 kilometres east of Tel Aviv. Kfar Oranim is an extension of the newly constructed town of Modi'in inside the Green Line. (*The Jerusalem Times*, 28 November)

340. On 1 December, settlers announced the approval of plans for the building of more than 900 homes in the Alfei Menasheh settlement. The planned 900 housing units, 250 of which were already under construction, were additional to some 350 homes whose construction had received final approval at the beginning of November. Plans for another 1,200 housing units in the same settlement had been submitted but not yet approved. Meanwhile, Peace Now charged that the Israel Lands Administration had approved the construction of 26 homes in the Nisanit settlement, 2 kilometres north of the Jabalia refugee camp in the Gaza Strip. In related developments, the construction of 120 housing units was said to have begun in the Ariel settlement. A tender for the construction of some 200 additional housing units there was expected to be published shortly by the Housing Ministry. The construction was part of recently approved plans to build some 1,000 housing units in the settlement. (*Ha'aretz*, *Jerusalem Post*, 2 December)

341. On 7 December, Peace Now charged that there had been a 23 per cent rise in construction in settlements during the second quarter of the year. Publishing its findings for the second quarter, Peace Now indicated that the construction of 320 homes had begun in the second quarter, compared with 260 during the first three months of the year. The construction of public housing had risen by 62.5 per cent: 130 homes compared with 80 in the first quarter. Private construction had risen by 5 per cent: 190 compared with 180 in the first quarter. Most of the construction had taken place in the Maaleh Adumim, Efrat, Beitar Elit, Givon and Givat Zeev settlements, all of which are considered part of "Greater Jerusalem". In addition, it was reported that Housing Ministry officials planned to turn the small settlement of Nahniel into a city by constructing 3,000 new housing units there. Finally, Peace Now indicated that according to a survey published by the Central Bureau of Statistics, a total of 2,920 housing units were under construction in the territories. (*Ha'aretz*, *Jerusalem Post*, 8 December)

342. On 9 December, it was reported that since the outbreak of the intifada in 1987, the settler population of Judea, Samaria (West Bank) and Gaza had risen from 50,000 to 170,000. (*Jerusalem Post*, 9 December)

343. On 17 December, Palestinian officials stated that the sale of a plot of land in the village of Issawiya to Israelis was illegal and should be declared null and void. Their statement followed reports on the Voice of Palestine and Israel Radio that a plot whose area was approximately 80 dunums located east of Issawiya had been sold to Israelis by a Jordanian citizen. (*Jerusalem Post*, 18 December)

344. On 17 December, a Palestinian security official stated that a man from the village of Issawiya near Jerusalem had sold 80 dunums of village land to an Israeli party for $10 million. The man, Mustafa Ahmad Hussein, had fled to Jordan and the PA had asked the Jordan authorities to arrest him. Israeli sources confirmed the sale, noting that the land was to be annexed to Maaleh Adumim, on the eastern outskirts of Jerusalem. (*The Jerusalem Times*, 19 December)

345. On 18 December, a PA report showed that 50 settlements had been expanded in the West Bank during the

month of November. The report underlined that 47 of the settlements in question had been enlarged by encroaching on 2,500 dunums of land confiscated from the Palestinians. Construction work had also continued on 15 bypass roads. A special report issued by the PA Ministry of Agriculture stated that plans had been announced and work begun on two sites for four Israeli industrial zones to be built on Palestinian land and run by Israel. In addition, two forested areas near Bethlehem had been annexed to the settlement of Tamoun. (*The Jerusalem Times*, 26 December)

346. On 21 December, Peace Now charged that the Government of Israel was pouring money into the settlements. According to a report published by the movement, the Israel Lands Administration had allocated an additional 141 dunums of land to settlements in order to encourage industrial activity. This was in addition to the 3,918 plots it had allocated for housing construction in Judea, Samaria (West Bank) and Gaza. The average cost of a plot was $13,000, which covered only 6 per cent of the marketing costs. (*Jerusalem Post*, 22 December)

347. On 22 December, 11 bedouin herdsmen who had been living in the Judean desert since the 1950s appealed to the High Court of Justice to prevent the IDF from evicting them from the region. The Court was also requested to rescind an order issued by the OC IDF troops in the West Bank, which declared the area where they lived a closed military zone. Alternatively, the Court was requested to oblige the IDF to find an alternative site for the herdsmen and their livestock. Some of the herdsmen had had their tents and animal pens destroyed by Civil Administration officers who had ordered them to leave. (*Ha'aretz*, 24 December)

348. On 26 December, it was reported that plans to expand the Beit El settlement were expected to be launched during the following week, in a cornerstone-laying ceremony for a new neighbourhood built in memory of two settlers who had been shot in its vicinity in 1996. Among the leaders expected to attend the ceremony were Defence Minister Yitzhak Mordechai, Interior Minister Eli Suissa and Deputy Housing Minister Meir Porush. Prime Minister Benjamin Netanyahu's communications adviser, David Bar Illan, stated that the Beit El project was meant to satisfy the settlement's natural growth requirements. He also referred to the creation of the new Nahal settlement south of Hebron, which was part of a military operation that, according to him, did not fall within the scope of the Oslo Accords. In another development, Peace Now charged that the Israel Lands Administration had published a tender for the construction of 100 housing units in Nisanit, in addition to a tender for some 26 units published earlier in the month, which would double the size of the settlement. (*Ha'aretz*, *Jerusalem Post*, 26 December)

349. On 28 December, the Civil Administration stopped work being carried out by the Ariel Council outside the settlement fence on land that residents of the villages of Iskaka and Salfit claimed to have tilled for decades. The residents complained that they had been prevented from tilling their land, that a tractor they used to plough the land had been taken away and that three Palestinians had been detained by the Ariel police. They voiced their fear that an area of some 3,000 dunums, which had been cultivated for years by some 150 families from the two villages, would eventually be confiscated. The Ariel Local Council head, Ron Nahman, stated that the work begun by his settlement was aimed at demarcating the area falling under its jurisdiction, which, he claimed, went beyond the fence surrounding the settlement. He threatened that "any Palestinian seeking to pick a fight in the area would be shot at". (*Ha'aretz*, 28 December)

350. On 29 December, Channel 2 of Israeli television reported that Prime Minister Benjamin Netanyahu had secretly approved a budget of NIS 8 million for land development in the Maaleh Efraim settlement and for the construction of 55 housing units in the area. Mr. Netanyahu had reportedly approved the project during a tour of West Bank settlements by the Cabinet on 28 December, in spite of pressure by the United States for a time-out on settlement construction. (*Jerusalem Post*, 31 December)

351. On 29 December, it was reported that two farmers from the village of Salfit had been prevented from entering their land because of a new "security" fence near the "security" road around the Ariel settlement. The farmers, who each owned a plot of land of approximately 150 dunums with some 800 olive trees, expressed fear that the measure was a prelude to the confiscation of their land. (*Ha'aretz*, 29 December)

352. On 31 December, hundreds of persons attended a ceremony in the Beit El settlement to lay the cornerstone for a new neighbourhood of 200 housing units. Interviewed on Channel 1, Defence Minister Yitzhak Mordechai stated that Palestinians were building what was necessary for their needs and that Israel was not building a new settlement, but only what was necessary for the people of Beit El, in accordance with the settlement's natural growth requirements. Reports of the planned construction drew sharp criticism from left-wing groups and Palestinian officials who charged that such actions showed that the Government was intent on destroying the peace process rather than strengthening it. The leader of the ultra-

nationalist party, MK Rehavam Ze'evi, declared that the construction was "the Zionist answer to Palestinian attacks", referring to a drive-by attack in which two Beit El residents had been killed in 1996. (*Jerusalem Post*, 1 January 1998)

## F. Information concerning the occupied Syrian Arab Golan

353. On 3 September 1997, in a special interview with *The Jerusalem Post*, Prime Minister Benjamin Netanyahu described as a "non-starter" President Assad's demand that the armistice line existing from mid-1949 to 4 June 1967 be the outer limit for the deployment of the Syrian forces' deployment in the aftermath of a proposed Israeli withdrawal from the Golan Heights. "The Syrians are torpedoing the peace talks before they resume", he stated, indicating that the only acceptable cartographical term of reference for negotiations could be the political boundary between Palestine and Syria dating back to the British Mandate. "The Syrians simply want to get down to the water", he stated, referring to Lake Kinneret, on whose north-eastern shore the Syrian army had camped until the outbreak of the Six Day War. (*Jerusalem Post*, 5 September)

354. On 3 September, a group of more than 80 Druze from the Golan Heights crossed into Syria in order to study at universities there. Hundreds of residents of Druze villages in the Golan Heights gathered on the Israeli side of the border to see the students off and convey greetings to relatives on the Syrian side. All of those crossing the border underwent strict security checks before boarding the United Nations buses taking them the short distance to the Syrian side, where hundreds more Syrian Druze and officials were waiting to greet them. One resident of Majdal Shams village stated that the Druze regarded Damascus as their capital and Syria as their homeland. He added that Syria also helped the Druze with tuition, accommodation and other matters, which they could not receive in Israel or elsewhere. The crossing of students to Syria was considered to be more significant than usual because of allegations by some Druze that Israel was trying to disrupt the visits by students. The allegations followed the recent arrest of a psychology student, Alham Naif Abu Salah, a resident of Majdal Shams who studied at Damascus University, on charges of spying for Syria. (*Jerusalem Post*, 4 September)

355. On 8 September, the Acre Magistrate's Court released on bail the Druze woman from the Golan Heights who had been detained for almost a month on charges of spying for Syria. Alham Naif Abu Salah, a student at Damascus University, was released on NIS 50,000 bail and on condition that she reported daily to a police station in the Golan for the following 45 days. Speaking with reporters, Abu Salah stated that her interrogation had been long and difficult and that the GSS interrogators had threatened not to allow her to return to Syria anymore. Abu Salah expressed her wish to return to Syria and to be active on a student council that represented the Druze from her village. According to a Haifa University political science professor, Abu Salah's case was one of many in which Golan Druze had been accused of spying for Syria. He claimed that many Druze students from the Golan who studied in Damascus had been pressured to get involved in anti-Israeli activities. There were approximately 17,000 Druze living in the Golan Heights and many felt attached to Syria. (*Ha'aretz*, 9 September)

356. On 14 September, it was reported that, according to the United States Department of State, the Secretary of State, Madeleine Albright, had failed to achieve any progress during her visit to Damascus. The State Department stated that the gaps between Israel and Syria on the question of the renewal of the peace negotiations were still wide. (*Ha'aretz*, 14 September)

357. On 15 September, a senior Israeli intelligence officer told the Knesset Foreign Affairs and Defence Committee that Syria had stepped up its preparations for a surprise attack on Israel, even though it would prefer a political settlement that would return the Golan Heights to it. The officer stated that Damascus had plans to try to recapture part of the plateau and to use it to force Israel's hand in the negotiations. The officer also stated that Syria would not agree to resume talks with Israel until it had a promise that Israel would return to the pre-June 1967 borders. (*Jerusalem Post*, 16 September)

358. On 16 September, it was reported that, in an exceptional move, Israel had recently allowed Syria to carry out, through the United Nations, a surprise inspection in the Golan Heights. The inspection had been carried out under the terms of the 1974 Disengagement Agreement, which provided for inspections to be conducted at 24 hours' notice. Under the Agreement, both Israel and Syria could carry out inspections every two weeks and ascertain that forces remained small, as stipulated in the Agreement. Tension between Israel and Syria had reportedly begun eight months earlier, when the Syrians had moved a division from the vicinity of the Golan Heights to the Lebanese side of Mount Hermon. The move had raised fears in Israel that the Syrian army was planning an operation in the Golan and a state of higher alert had been declared in the north. The Syrian request to carry out the inspection had been motivated by allegations that the IDF had strengthened its forces in the

Golan. According to the OC IDF liaison unit for foreign forces, Brig.-Gen. David Thur, the inspection, which lasted two days, had proved that the IDF had not stepped up its forces in the Golan and had largely contributed to reducing tensions in the region. (*Ha'aretz*, 16 September)

359. On 25 September, it was reported that, according to a researcher at the Syria-Lebanon desk at Tel Aviv University, Eyas Zestier, every day that passed without progress on the Israeli-Syrian peace track brought closer the danger of war between the two countries. Mr. Zestier stated that while Syria was committed to the peace process at present, it was also steadily preparing for the war option. Mr. Zestier's comments coincided with pronouncements by Syrian Vice-President Abdul Hakim Khaddar that Syria was willing to resume peace negotiations only on condition that they started from the point where they had stopped under the Labour Government and that Syria was adamant that Israel must withdraw to the 4 June 1967 lines. (*Jerusalem Post*, 25 September)

360. On 10 October, the Syrian Defence Minister, Mustafa Tlass, warned of a potential explosion in the Middle East because of what he described as the policies of aggression pursued by Prime Minister Netanyahu's Government. News agencies reported that the Syrian Defence Minister had also criticized the United States for what he described as its weakness in dealing with Mr. Netanyahu's "impudence" and its inability to get the peace process restarted. Meanwhile, Israeli Defence Minister Yitzhak Mordechai revealed that uncontrollable friction with Syria in the summer had been averted by a Syrian troop redeployment and the exchange of appropriate messages between the two sides. (*Jerusalem Post*, 12 October)

361. On 13 October, Israel's chief combat engineering officer, Brig.-Gen. Eliezer Toledano, stated that the defensive obstacles put in place in the Golan Heights had significantly enhanced Israel's ability to counter a Syrian attack. He expressed confidence that his forces could break through Syrian lines if ordered to do so. Meanwhile, a senior intelligence officer told the Knesset Foreign Affairs and Defence Committee that there had been no signs of Syrian military action lately, but that Syria was continuing to improve its military capabilities. According to *Jane's Defence Weekly*, the Syrian army facing the IDF in the Golan Heights had started to deploy some of its 200 T-55 tanks, upgraded with advance anti-armour missiles. This and other out-of-the-ordinary actions by the Syrian forces were reportedly keeping the IDF on constant alert for a surprise attack in the Golan Heights. The IDF was said to have spent tens of millions of NIS on renovating its ramparts and minefields and on strengthening and digging anti-tank ditches on the plateau. In addition, it had reinforced its positions so that they could withstand heavy artillery attacks and dispatched some of its best forces to the strategic plateau. (*Jerusalem Post*, 14 October)

362. On 1 December, the Peace Now movement stated that the Israel Lands Administration had published a tender for the construction of 39 homes in the Katzrin settlement on the Golan Heights. (*Jerusalem Post*, 2 December)

363. On 10 December, it was reported that Druze villages in the Golan Heights were at the very bottom of the Education Ministry's list of priorities concerning the education budget, with only NIS 75 earmarked for each pupil in 1997. (*Ha'aretz*, 10 December)